

AGENDA

BOARD OF MAYOR AND ALDERMEN

August 1, 2006

**7:30 PM
Aldermanic Chambers
City Hall (3rd Floor)**

1. Mayor Guinta calls the meeting to order.
2. The Clerk calls the roll.
3. Presentation to the City regarding the placement of Stark Park on the National Historic Register by Co-Chairs of the Friends of Stark Park, Kit Reno and Pat Howard
4. Recognition of contributors to the Manchester Art Fund.
5. Presentation of Arts Award.

CONSENT AGENDA

6. Mayor Guinta advises if you desire to remove any of the following items from the Consent Agenda, please so indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

Ratify and Confirm Poll Conducted

- A. On July 20 & 21, 2006 clarifying vote taken on July 11, 2006 referring the rezoning of Diocese property behind Gold Street to a public hearing on Monday, August 7, 2006 at 6 PM.
(Unanimous vote with the exception of Alderman Gatsas who abstained.)

Approve under supervision of the Department of Highways subject to the availability of funding

- B. Sidewalk Petitions – 50/50 Program FY2007.

Approve under supervision of the Department of Highways

- C. PSNH Petition #11-1116 located on Carl Drive.

Informational – to be Received and Filed

- D. Communication from Superintendent Ludwell providing an update on major decisions and projects for the School District.
- E. Communication from the State of NH, Office of Energy and Planning relative to federal disaster assistance and flood insurance.
- F. Communication from Catherine Yeager relative to 18-Plus Clubs.

REFERRALS TO COMMITTEES

COMMITTEE ON FINANCE

- G. Bond Resolutions:

“Authorizing Bonds, Notes or Lease Purchases in the amount of One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000) for the 2007 CIP 511307, JFK Coliseum Rehabilitation Project.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Four Million Dollars (\$4,000,000) for the 2007 CIP 712407, Cohas Phase 2 – Contract 2 Project.”

REPORTS OF COMMITTEES

COMMITTEE ON BILLS ON SECOND READING

- H. Recommending that Ordinances:

“Amending Sections 33.024, 33.025, & 33.026 (Painter) of the Code of Ordinances of the City of Manchester.”

“Amending 33.062, Part-Time Employees, of the Code of Ordinances of the City of Manchester.”

ought to pass.
(Unanimous vote)

I. Recommending that Ordinance:

“Amending the Code of Ordinances of the City of Manchester by adding a new Chapter 54: Storm Water to Title V: Public Works.”

ought to pass as amended.

(Unanimous vote)

COMMITTEE ON COMMUNITY IMPROVEMENT

J. Recommending that the Black Brook Dam (a.k.a. Maxwell Pond Dam) be removed. The Committee advises that it has requested staff to pursue State, In-Kind services, and other funding sources to meet the estimated cost of \$115,000 for removal.

(Aldermen Garrity, Osborne, Gatsas and Duval voted yea; Alderman O’Neil was absent.)

COMMITTEE ON JOINT SCHOOL BUILDINGS

K. Advising that it has accepted the monthly report for June/July 2006 as submitted by DMJM, and is forwarding same to the Board for informational purposes.

(School Committee Members Beaudry and Gelinas and Aldermen Roy, Thibault and Forest voted yea; School Committee Member Herbert was absent.)

LADIES AND GENTLEMEN, HAVING READ THE CONSENT AGENDA, A MOTION WOULD BE IN ORDER THAT THE CONSENT AGENDA BE APPROVED.

7. Nominations to be presented by Mayor Guinta, if available.

8. Confirmation of the nomination of Gerard L. Thibodeau to succeed Jen Drociak as a member of the Conservation Commission, term to expire August 1, 2009.

A motion is in order to confirm the nomination as presented.

9. Confirmation of the nomination of Kathleen Payne to succeed Dorothy Krasner as a member of the Board of Registrars, term to expire May 1, 2009.
A motion is in order to confirm the nomination as presented.
10. Confirmation of nominations to the Heritage Commission:
Derek M. Dufresne as an alternate, term to expire January 1, 2007; and
Stephanie F. McLaughlin as an alternate, term to expire January 1, 2007.
11. Confirmation of the nomination of Robert F. Martel as a member of the Planning Board, term to expire May 1, 2009.
A motion is in order to confirm the nomination as presented.
12. Confirmation of the nomination of Mark Laliberte to succeed Graham J. Chynoweth as a citizen member of the Safety Review Board, term to expire March 15, 2009.
A motion is in order to confirm the nomination as presented.
13. Confirmation of the nomination of Kristin Schmidt, MPAS to succeed Jazmin Miranda-Smith as a member of the Board of Health, term to expire July 1, 2009.
A motion is in order to confirm the nomination as presented.
14. Confirmation of nominations to the Conduct Board:
Jay M. Cadorette to fill a vacancy, term to expire October 1, 2007; and
Michael P. Craig to fill the Aldermanic appointment, term to expire October 1, 2008.
A motion is in order to confirm the nominations as presented.
15. Confirmation of the nomination of Carol Ann Williams to fill the unexpired term of David Jespersen, term to expire May 2007.
A motion is in order to confirm the nomination as presented.
16. Mayor Guinta advises that a motion is in order to recess the regular meeting to allow the Committee on Finance to meet.
17. Mayor Guinta calls the meeting back to order.

OTHER BUSINESS

18. Report(s) of the Committee on Finance, if available.

Ladies and Gentlemen, what is your pleasure?

19. State Legislative update presented by Mayor Guinta, if available.

20. Ordinances: **(A motion is in order to read by titles only.)**

“Amending Sections 33.024, 33.025, & 33.026 (Painter) of the Code of Ordinances of the City of Manchester.”

“Amending 33.062, Part-Time Employees, of the Code of Ordinances of the City of Manchester.”

“Amending the Code of Ordinances of the City of Manchester by adding a new Chapter 54: Storm Water to Title V: Public Works.”

These Ordinances having had their second reading by titles only, the question is on passing same to be Enrolled.

21. Mayor Guinta advises that a motion is in order to recess the regular meeting to allow the Committee on Accounts, Enrollment and Revenue Administration to meet.

22. Mayor Guinta calls the meeting back to order.

23. Report of the Committee on Accounts, Enrollment and Revenue Administration, if available.]

Ladies and Gentlemen, what is your pleasure?

24. Notice for reconsideration given by Alderman Roy on a motion to override the Mayor's veto relative to the adoption of a "Resolution Adopting the provisions of RSA261:154 Additional Fees for Registration Permits."
(Motion failed with Aldermen Roy, Duval, Osborne, O'Neil, Lopez, DeVries, Smith, Thibault and Forest voting yea; Aldermen Gatsas, Long, Pinard, Shea and Garrity voted nay.)

Ladies and Gentlemen, what is your pleasure?

25. Communication from Kevin Dillon, Airport Director, requesting advance approval to initiate any necessary negotiations and equipment purchases associated with the development of regularly scheduled bus service between the terminal, the multi-modal transportation facility in Woburn, MA and the Sullivan Square MBTA Station in Boston.

Ladies and Gentlemen, what is your pleasure?

26. Communication from Chief Kane requesting the Board's acceptance of a grant in the amount of \$9,375.00 from the State of NH for training in response to Bioterrorism.

Ladies and Gentlemen, what is your pleasure?

27. Communication from Attorney Andrew Sullivan, on behalf of Ronald and Diane St. Hilaire and JAMCO, Inc., requesting the Board vote and affirm that pursuant to RSA 674:41 (I) (d) (1), issuance of building permits on Corson Street, a private way, is authorized.

Ladies and Gentlemen, what is your pleasure?

28. Ordinances: **(A motion is in order to read by titles only.)**

"Amending Sections 33.024, 33.025, & 33.026 (Painter) of the Code of Ordinances of the City of Manchester."

"Amending 33.062, Part-Time Employees, of the Code of Ordinances of the City of Manchester."

"Amending the Code of Ordinances of the City of Manchester by adding a new Chapter 54: Storm Water to Title V: Public Works."

These Ordinances, having had their third and final reading by titles only, the question is on passing same to be Ordained.

TABLED ITEM

A motion is in order to remove the following item from the table for discussion.

29. Report of the Committee on Joint School Buildings advising that it has authorized processing of legal expense payments from the School Facilities Improvement Project Contingency regarding Gilbane.

(School Committee Members Beaudry, Herbert, Gelinas and Alderman Roy abstained; Aldermen Thibault and Forest were absent.)

(Tabled 07/11/2006 pending further information from Finance. Enclosed is a copy of a communication from the City's Bond Counsel issuing an opinion relative to the utilization of Bond proceeds to pay for outside counsel.)

30. NEW BUSINESS

- a) Communications
- b) Aldermen

31. **A motion is in order to enter non-public session pursuant to RSA 91-A:3 II (a).**

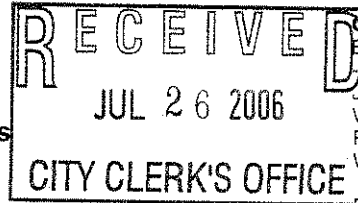
32. Mayor Guinta calls the meeting back to order.

33. If there is no further business, a motion is in order to adjourn.



**City of Manchester
Department of Highways**

227 Maple Street
Manchester, New Hampshire 03103-5596
(603) 624-6444 Fax # (603) 624-6487




Commission
Edward J. Beleski
Chairman
Jean Flurey
William F. Houghton Jr.
Robert R. Rivard
William A. Varkas

Frank C. Thomas, P.E.
Public Works Director

Kevin A. Sheppard, P.E.
Deputy Public Works Director

- MEMORANDUM -

TO: Paula LeBlond – Kang
2nd Deputy City Clerk

FROM:  Jay W. Davini
Public Utilities Coordinator

DATE: July 26, 2006

RE: Sidewalk Petitions – 50/50 Program FY2007

Please submit all the Sidewalk Improvement Petitions you are currently holding to the Board of Mayor and Aldermen for approval. These sidewalks will be constructed contingent upon the availability of City funds.



TO THE HONORABLE BOARD OF MAYOR AND
ALDERMEN:
MANCHESTER CITY CLERK

'06 JUL 13 A11:06

B

I/we, ROGER E. LEMAY, CHRISTINE LEMAY, the
Name(s)

owner(s) of the real estate abutting upon 191 SEAMES DRIVE
Street Address

Manchester, NH 03103

Description (including footage): SINCE INSTALLING A NEW RETAINING WALL ALONG THE FRONT OF OUR PROPERTY PER THE CITY'S SETBACK REQUIREMENTS, THE FRONTAGE ABUTTING SEAMES DR. IS NOW BELOW GRADE AND PRONE TO FLOODING. APPROX 75' OF GRANITE CURB SHOULD SOLVE THE FLOODING PROBLEM.

desire that:

- ☐ A sidewalk be constructed along said frontage
- ☐ A sidewalk be reconstructed along said frontage
- ☒ Curbing be installed along said frontage
- ☐ Curbing be reset along said frontage

hereby agreeing that if said improvement is made, I/we will pay one-half (1/2) the cost of same. I/we the undersigned request your Honorable Board to grant this petition and to direct the Public Works Director to prepare and execute the necessary agreement between said petitioner(s) and the City of Manchester and forthwith to carry out the work as specified above.

Signed:

Roger E. Lemay
Owner

Christine Lemay
Owner

191 SEAMES DRIVE MANCHESTER, NH 03103-3945
Mailing Address

Phone #: 625-2144

Date: JULY 13, 2006

B



TO THE HONORABLE BOARD OF MAYOR AND
ALDERMEN:

RECEIVED
MANCHESTER CITY CLERK

'06 JUL 14 AM 11:00

I/we, Virginia Campbell, the
Name(s)

owner(s) of the real estate abutting upon 104 Randall St.
Street Address

Manchester, NH 03103

Description (including footage): put in a granite curb
along 75 feet of footage at 104 Randall St.

desire that:

- ☐ A sidewalk be constructed along said frontage
- ☐ A sidewalk be reconstructed along said frontage
- ☒ Curbing be installed along said frontage
- ☐ Curbing be reset along said frontage

hereby agreeing that if said improvement is made, I/we will pay one-half (1/2) the cost of same. I/we the undersigned request your Honorable Board to grant this petition and to direct the Public Works Director to prepare and execute the necessary agreement between said petitioner(s) and the City of Manchester and forthwith to carry out the work as specified above.

Signed:

Virginia Campbell
Owner

Owner

104 Randall St., Manchester, N.H. 03103
Mailing Address

Phone #:

603 479-2856

Date:

7/5/06



TO THE HONORABLE BOARD OF MAYOR AND
ALDERMEN:

RECEIVED
MANCHESTER CITY CLERK

'06 JUL 17 AIO:37

I/we, Cynthia M Simard, the
Name(s)

owner(s) of the real estate abutting upon 102 So. Wilson St
Street Address

Manchester, NH 03103

Description (including footage): located on the corner of So. Wilson St
and Holly Ave with a frontage of 100'.

desire that:

- ☐ A sidewalk be constructed along said frontage
- ☐ A sidewalk be reconstructed along said frontage
- ☒ Curbing be installed along said frontage
- ☐ Curbing be reset along said frontage

hereby agreeing that if said improvement is made, I/we will pay one-half (1/2) the cost of same. I/we the undersigned request your Honorable Board to grant this petition and to direct the Public Works Director to prepare and execute the necessary agreement between said petitioner(s) and the City of Manchester and forthwith to carry out the work as specified above.

Signed:

Cynthia M Simard

Owner

Owner

102 So. Wilson St

Mailing Address

Phone #:

602-3900

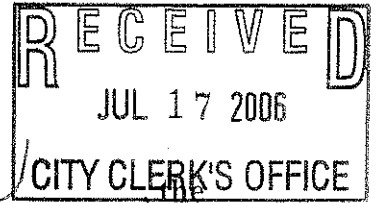
Date:

7-14-06

B



TO THE HONORABLE BOARD OF MAYOR AND
ALDERMEN:



I/we, SANDRA HARRINGTON
Name(s)

owner(s) of the real estate abutting upon 123 MAYFLOWER DRIVE
Street Address

Manchester, NH 03104-2820

Description (including footage):

68 FEET GRANITE CURBING
WITH SLANT ENDING (NOT CARVED)
ALONG FRONT GRASS/YARD/LAWN
AND ROAD —

desire that:

- ☐ A sidewalk be constructed along said frontage
- ☐ A sidewalk be reconstructed along said frontage
- ☒ Curbing be installed along said frontage
- ☐ Curbing be reset along said frontage

hereby agreeing that if said improvement is made, I/we will pay one-half (1/2) the cost of same. I/we the undersigned request your Honorable Board to grant this petition and to direct the Public Works Director to prepare and execute the necessary agreement between said petitioner(s) and the City of Manchester and forthwith to carry out the work as specified above.

Signed:

Sandra Harrington
Owner

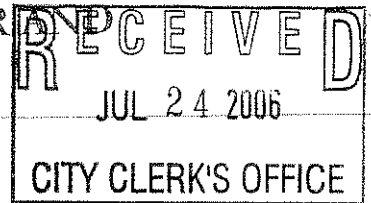
123 Mayflower Dr, Manchester, NH
Mailing Address

Phone #: 603-644-4661

Date: 7/13/06



TO THE HONORABLE BOARD OF MAYOR AND
ALDERMEN:



I/we, Roger P Bousquet, the
Name(s)

owner(s) of the real estate abutting upon 305 SO ELM St + Harrington Ave
Street Address

Manchester, NH 0310

Description (including footage):

W Harrington St 100'
SO ELM St 50'

desire that:

- ☒ ~~A sidewalk be constructed along said frontage~~
☐ A sidewalk be reconstructed along said frontage
☒ Curbing be installed along said frontage
☐ Curbing be reset along said frontage

hereby agreeing that if said improvement is made, I/we will pay one-half (1/2) the cost of same. I/we the undersigned request your Honorable Board to grant this petition and to direct the Public Works Director to prepare and execute the necessary agreement between said petitioner(s) and the City of Manchester and forthwith to carry out the work as specified above.

Signed:

Roger P Bousquet
Owner

Owner

305 SO ELM St

Mailing Address

Phone #:

(603) 634-0186

Date:

7/13/06

CITY OF MANCHESTER, NH
PETITION FOR POLE LOCATION LICENSE

POLE LOCATION
FORM NO. 1

June 27, 2006

*To the Hon. Board of Mayor and Aldermen
of the City of Manchester, New Hampshire:*

**PUBLIC SERVICE OF NEW HAMPSHIRE
&
VERIZON NEW ENGLAND, INC.**

request a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon, together with such sustaining, strengthening and protecting fixtures as may be necessary, along, across, and under the following public ways:

License one replacement pole, 183/1 located on Carl Drive in the City of Manchester.

Wherefore we pray, that we be granted a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon together with sustaining, strengthening and protecting fixtures as may be necessary, said underground conduits, poles and structures to be installed approximately in accordance with the plan filed herewith marked "POLE LOCATION PLAN, PUBLIC SERVICE OF NEW HAMPSHIRE and VERIZON NEW ENGLAND".

Plan No. 11-1116
Dated: March 22, 2006

PUBLIC SERVICE OF NEW HAMPSHIRE

BY: Erin Normand
Erin Normand, Plant Records/Licensing

VERIZON NEW ENGLAND, INC.

BY: Glenn Mills
Glenn Mills, Right of Way Department

D

Manchester School District

School Administrative Unit No. 37
286 Commercial Street, Manchester, NH 03101
Tel: 603.624.6300 • Fax: 603.624.6337

Michael Ludwell, Ph.D.
Superintendent of Schools

Henry J. Aliberti Jr., Ed.D.
*Assistant Superintendent
Elementary Education*

Frank G. Bass, Ph.D.
*Assistant Superintendent
Secondary Education*

Karen G. Burkush
*Assistant Superintendent
Student Services*

William E. Sanders
Chief Financial Officer

TO: Mayor Frank Guinta

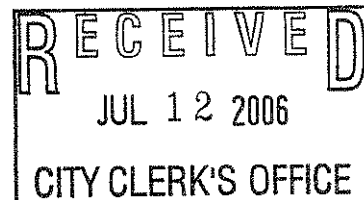
FROM: Michael Ludwell, Ph.D. *Mike*
Superintendent of Schools

DATE: July 7, 2006

SUBJECT: Board of Mayor and Aldermen Request

As per your email dated June 26, 2006 relative to a request from the Board of Mayor and Aldermen for an update on major decisions and projects for the School District, I am providing the following list.

- SIS software information system put on hold.
- Implementation of the 21st Century After School Program at eight (8) of our schools.
- 21st Century After School Program Expansion Grant Award allowing four (4) more schools the opportunity to participate.
- K-12 Language Arts curriculum adopted.
- K-12 Mathematics curriculum adopted.
- 22 credits for graduation (previously 20) adopted for class of 2010.
- High School mathematics 9-12, levels 1-4 aligned at all three schools.
- High School social studies 9-12, levels 1-4 aligned at all three schools.
- AP Science courses moved from 1 1/2 credits to 2 credits.
- High School program of studies revamped in accordance with new state graduation requirements.
- Middle School Initiatives: CRISS (Creating Interventions for Student-owned Strategies), PBIS (Positive Behavioral Interventions and Supports), and Curriculum Mapping continue at all four middle schools with a completion date of 2007.
- MST expansion grant (7.5 million) accepted by the State.



D

- Project Lead the Way, a pre-engineering program successfully implemented at all three high schools.

- MST twenty (20) year agreement with Londonderry, Goffstown, and Bedford adopted.

- District in Need of Improvement Program generated eleven (11) standing committees involving over 150 people representatives from both the school district and the community.

If you should need any further information, please do not hesitate to contact me.



JOHN H. LYNCH
GOVERNOR

STATE OF NEW HAMPSHIRE
OFFICE OF ENERGY AND PLANNING
57 Regional Drive, Suite 3
Concord, NH 03301-8519
Telephone: (603) 271-2155
Fax: (603) 271-2615



www.nh.gov/oep

MEMORANDUM

TO: Participating Communities of the National Flood Insurance Program (NFIP)

FROM: Jennifer DeLong, Assistant NFIP State Coordinator

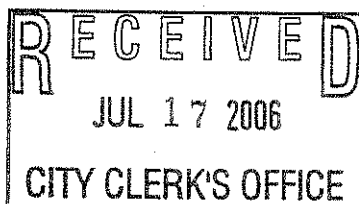
DATE: July 14, 2006

SUBJECT: Federal Disaster Assistance and Flood Insurance

In response to the recent flooding throughout the state and since your community currently participates in the National Flood Insurance Program (NFIP), I have enclosed an information sheet titled *What You Need to Know about Federal Disaster Assistance and National Flood Insurance*. The purpose of this handout is to inform residents about federal disaster assistance, the risks of flooding, and the benefits of flood insurance. **One of the most important facts about flood insurance is that all residents of an NFIP-participating community are eligible to purchase flood insurance regardless of whether they live in the areas with the greatest risk of flooding, called special flood hazard areas on your community's Flood Insurance Rate Map.**

I encourage you to post this information at your community's town hall or town office for your residents to view. This information can also be viewed and downloaded from our web site at www.nh.gov/oep/programs/floodplainmanagement/floodinsurance (at the bottom of the web page).

If you have any further questions or need any further assistance regarding the National Flood Insurance Program, please call me at 271-2155, email me at jennifer.delong@nh.gov, or visit our web site at www.nh.gov/oep/programs/floodplainmanagement.



TDD Access: Relay NH 1-800-735-2964

E



What You Need to Know About Federal Disaster Assistance & National Flood Insurance

"Who needs flood insurance? If my home or business is ever flooded, disaster assistance will bail me out."

- Before most forms of federal disaster assistance can be offered, the President must declare a major disaster.
- The most common form of federal disaster assistance is a loan, which must be paid back with interest.
- The average federal Individuals and Households Program (IHP) award is around \$4,000.
- To qualify for federal Home Repair Assistance, your home must have relatively minor damage that can be repaired quickly.
- You can't qualify for federal Rental Assistance unless your home has been heavily damaged or destroyed.

"We're not going to be flooded. This area has never been flooded."

- Floods are the most common, and most costly, natural disaster.
- In the past several years, about 60% of all Presidentially declared disasters involved flooding.
- Because more roads, buildings, and parking lots are being constructed where forests and meadows once stood, floods are becoming more severe throughout the U.S.
- In areas with the greatest risk of flooding, called Special Flood Hazard Areas (SFHAs), a building has a 26% chance of being flooded during a 30-year mortgage.
- About 20-25% of all flood insurance claims paid by the NFIP are for property outside of SFHAs.

"Flood insurance is too expensive."

- The average duration of a U.S. Small Business Administration (SBA) disaster home loan is 30 years.
- The recipient of a \$50,000 SBA residential disaster loan must pay back about \$240 a month at 4% interest.
- The average premium for federally backed flood insurance through the National Flood Insurance Program (NFIP) is about \$400 a year.

Flood insurance from the NFIP puts you in control. You won't have to wait in line to apply for disaster assistance. Homeowners, business owners, and renters all can buy flood insurance, as long as their communities participate in the NFIP.

Flood insurance claims are paid even if a disaster is not declared by the President. And NFIP claims are paid promptly, so flood victims can recover quickly. If you file a flood insurance claim, you may request an advance partial payment for your immediate needs.

Flood insurance reimburses you for all covered losses. Homeowners can buy up to \$250,000 of coverage; businesses, up to \$500,000. Separate contents coverage is available, so renters can buy protection, too.

For more information about the National Flood Insurance Program (NFIP):

Contact the NH Office of Energy & Planning (State Coordinating Agency for the NFIP) at (603) 271-2155 or visit www.nh.gov/oep/programs/floodplainmanagement.

Or call the NFIP at 1-800-427-4661 and visit www.fema.gov/business/nfip.

For more information about flood insurance:

Contact your insurance company or agent or visit www.floodsmart.gov.

For an agent referral, call 1-888-435-6637 TDD 1-800-427-5593

Catherine A. Yeager

82 Little Pond Road
Concord, NH 03301

(603) 224-0346

July 16, 2006

Board of Mayor and Aldermen
City of Manchester
c/o City Hall
Elm Street
Manchester, NH 03101

RE: 18-Plus Clubs

To Whom It May Concern:

In a recent *NH Union Leader*, I read about your city task force addressing 18-plus clubs. While, apparently, the panel cannot attempt to ban such establishments because of state laws, it is commendable that there is effort underway in Manchester to address under-age drinking; similar serious efforts should be underway everywhere!

A concern of mine is that, although employees of these establishments can check ID's and try to be certain they are not serving anyone underage, I cannot imagine how they manage to monitor drink sharing or switching later on.

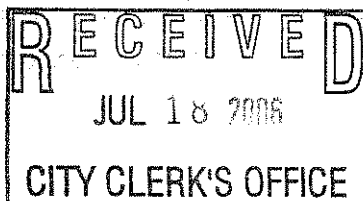
Considering the problems for young people associated with drinking, it would probably be best for NH laws to change and ban 18-plus establishments. More importantly, there needs to be consistent, severe consequences for anyone providing alcohol to minors, such as parents and other adults permitting and supporting under-age drinking parties. Certainly, early use of alcohol leads to abuse of alcohol and there are adverse, long-lasting, life-altering consequences.

I wish the panel success assessing and addressing the matters before them, and I will continue to follow the press coverage.

Sincerely,

Cathy Yeager

Catherine A. Yeager



City of Manchester New Hampshire

In the year Two Thousand and Six

A RESOLUTION

"Authorizing Bonds, Notes or Lease Purchases in the amount of One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000) for the 2007 CIP 511307, JFK Coliseum Rehabilitation Project."

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

SECTION 1. That there be and hereby is authorized under and pursuant to the Municipal Finance Act, and any other enabling authority, the issuance and sale of general obligation serial bonds, notes or lease purchases of the City in the aggregate principal amount of One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000) at one time or from time to time as one or more separate bond, note or lease purchase issues for purposes stated in Section 3 of said Act, as more specifically hereinafter indicated. The bonds, notes or lease purchases of each issue shall bear the City Seal, shall be signed by the manual or facsimile signature of the Mayor, countersigned by the manual or facsimile signature of the Finance Officer and shall be payable in such annual installments as shall be determined by the Finance Officer with the approval of the Mayor. Except as otherwise provided by law and this Resolution, discretion to fix the date, maturities, denomination, place of payment, form and other details of each issue of said bonds, notes or lease purchases and of providing for the sale thereof is hereby delegated to the Finance Officer.

SECTION 2. That the proceeds of said bonds, notes or lease purchases be and they are hereby appropriated for the purpose of financing costs of the following public works and improvements of a permanent nature, hereby authorized namely,

<u>Purpose</u>	<u>Amount</u>
2007 CIP 511307, JFK Coliseum Rehabilitation Project	\$1,750,000

It is hereby declared that the public works and improvements to be financed by said bonds, notes or lease purchases have a useful life in excess of 20 years.

SECTION 3. That the Finance Officer, with the approval of the Mayor, is hereby authorized to issue at one time or from time to time notes in anticipation of said bonds, notes or lease purchases and to renew or refund the same under and pursuant to and to the extent authorized by RSA 33:7a.

SECTION 4. That an amount sufficient to pay the principal of and interest on said bonds, notes or lease purchases payable in each year during which they are outstanding be and hereby is appropriated and, to the extent other funds are not available for such purpose, said amount shall be included in the tax levy for each year until the debt represented by said bonds, notes or lease purchases is extinguished.

6

City of Manchester New Hampshire

In the year Two Thousand and Six

A RESOLUTION

"Authorizing Bonds, Notes or Lease Purchases in the amount of One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000) for the 2007 CIP 511307, JFK Coliseum Rehabilitation Project."

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

SECTION 5. That the bonds, notes or lease purchases herein authorized may be consolidated with any other issue of bonds, notes or lease purchases heretofore or hereafter authorized, provided that the last annual installment of any such consolidated issue shall be payable not later than the date on which the last annual installment of the bonds, notes or lease purchases herein authorized must be payable pursuant to this Resolution.

SECTION 6. This Resolution shall take effect upon its passage.

City of Manchester New Hampshire

In the year Two Thousand and Six

A RESOLUTION

"Authorizing Bonds, Notes or Lease Purchases in the amount of Four Million Dollars (\$4,000,000) for the 2007 CIP 712407, Cohas Phase 2 – Contract 2 Project."

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

SECTION 1. That there be and hereby is authorized under and pursuant to the Municipal Finance Act, and any other enabling authority, the issuance and sale of general obligation serial bonds, notes or lease purchases of the City in the aggregate principal amount of Four Million Dollars (\$4,000,000) at one time or from time to time as one or more separate bond, note or lease purchase issues for purposes stated in Section 3 of said Act, as more specifically hereinafter indicated. The bonds, notes or lease purchases of each issue shall bear the City Seal, shall be signed by the manual or facsimile signature of the Mayor, countersigned by the manual or facsimile signature of the Finance Officer and shall be payable in such annual installments as shall be determined by the Finance Officer with the approval of the Mayor. Except as otherwise provided by law and this Resolution, discretion to fix the date, maturities, denomination, place of payment, form and other details of each issue of said bonds, notes or lease purchases and of providing for the sale thereof is hereby delegated to the Finance Officer.

SECTION 2. That the proceeds of said bonds, notes or lease purchases be and they are hereby appropriated for the purpose of financing costs of the following public works and improvements of a permanent nature, hereby authorized namely,

<u>Purpose</u>	<u>Amount</u>
2007 CIP 712407, Cohas Phase 2 – Contract 2	\$4,000,000

It is hereby declared that the public works and improvements to be financed by said bonds, notes or lease purchases have a useful life in excess of 20 years.

SECTION 3. That the Finance Officer, with the approval of the Mayor, is hereby authorized to issue at one time or from time to time notes in anticipation of said bonds, notes or lease purchases and to renew or refund the same under and pursuant to and to the extent authorized by RSA 33:7a.

SECTION 4. That an amount sufficient to pay the principal of and interest on said bonds, notes or lease purchases payable in each year during which they are outstanding be and hereby is appropriated and, to the extent other funds are not available for such purpose, said amount shall be included in the tax levy for each year until the debt represented by said bonds, notes or lease purchases is extinguished.

G

City of Manchester New Hampshire

In the year Two Thousand and Six

A RESOLUTION

“Authorizing Bonds, Notes or Lease Purchases in the amount of Four Million Dollars (\$4,000,000) for the 2007 CIP 712407, Cohas Phase 2 – Contract 2 Project.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

SECTION 5. That the bonds, notes or lease purchases herein authorized may be consolidated with any other issue of bonds, notes or lease purchases heretofore or hereafter authorized, provided that the last annual installment of any such consolidated issue shall be payable not later than the date on which the last annual installment of the bonds, notes or lease purchases herein authorized must be payable pursuant to this Resolution.

SECTION 6. This Resolution shall take effect upon its passage.

H

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration that Ordinances:

“Amending Sections 33.024, 33.025, & 33.026 (Painter) of the Code of Ordinances of the City of Manchester.”

“Amending 33.062, Part-Time Employees, of the Code of Ordinances of the City of Manchester.”

ought to pass.

(Unanimous vote)

Respectfully submitted,



Clerk of Committee

H

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Human Resources/Insurance respectfully advises, after due and careful consideration, that it has approved Ordinance:

"Amending Sections 33.024, 33.025 and 33.026 (Painter) of the Code of Ordinances of the City of Manchester."

providing for the establishment of a new class specification, Painter, and is recommending same be referred to the Committee on Bills on Second Reading for technical review.

(Unanimous vote; Alderman Garrity absent)

Respectfully submitted,

L. H. Berman

Clerk of Committee

at a meeting of the Board of Mayor and Aldermen

held June 6, 2006 on a motion of Ald. O'Neil

duly seconded by Ald. Pinard the report

of the Committee was accepted and its recommendations

(adopted) ~~(rejected)~~

L. H. Berman
City Clerk

City of Manchester
New Hampshire

five

In the year Two Thousand and

AN ORDINANCE

"Amending Sections 33.024, 33.025 & 33.026 (Painter) of the Code of Ordinance of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
is follows:

SECTION 33.024 CLASSIFICATION OF POSITION be amended as follows:

Establish new classification, Painter

SECTION 33.025 COMPENSATION OF POSITION be amended as follows:

Establish Painter, Grade 13, non-exempt

SECTION 33.026 CLASS SPECIFICATIONS be amended as follows:

Establish new class specification, Class Code 5234, Painter, (See attached).

This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.

H

DRAFT



City of Manchester, New Hampshire

Class Specification

This is a class specification and not an individualized job description. A class specification defines the general character and scope of responsibilities of all positions in a job classification, but it is not intended to describe and does not necessarily list every duty for a given position in a classification.

Class Title	Painter
Class Code Number	5234-13

General Statement of Duties

Performs a variety of skilled painting work on city-owned property and equipment; performs directly related work as required.

Distinguishing Features of the Class

The principal function of an employee in this class is to perform various skilled painting work on municipal buildings. The work is performed under the supervision and direction of an assigned supervisor but considerable leeway is granted for the exercise of independent judgement and initiative. The nature of the work performed requires that an employee in this class establish and maintain effective working relationships with other City employees, outside contractors and the public. The principal duties of this class are performed in various indoor and outdoor work areas, with potential personal hazards.

Examples of Essential Work (illustrative only)

- Cleans and prepares materials to be painted by scraping, removing loose putty, filling cracks, removing broken glass;
- Paints the interior and exterior of buildings using brushes, spray guns, paint rollers or other painting tools;
- Repairs walls and ceilings;
- Applies sealant to exterior finishes and removes graffiti, applying chemical solvents as necessary;

A

- Paints rain gutters, signs and a variety of equipment;
- Varnishes and paints furniture;
- Mixes and matches paints;
- Orders and picks up supplies and other materials;
- Drives vehicles as required to complete tasks, transporting ladders and scaffolding;
- Provides needed information and demonstrations concerning how to perform certain work tasks to new employees in the same or similar class of positions;
- Keeps immediate supervisor and designated others fully and accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems;
- Attends meetings, conferences, workshops and training sessions and reviews publications and audio-visual materials to become and remain current on the principles, practices and new developments in assigned work areas;
- Responds to citizens' questions and comments in a courteous and timely manner;
- Communicates and coordinates regularly with appropriate others to maximize the effectiveness and efficiency of interdepartmental operations and activities;
- Performs other directly related duties consistent with the role and function of the classification.

Required Knowledge, Skills and Abilities (at time of appointment)

- Thorough knowledge paints, varnishes, shellacs, fillers and graffiti removal chemicals;
- Thorough knowledge of methods, techniques, equipment, tools and materials used in painting practices;
- Thorough knowledge of brush and spray painting;
- Good knowledge of wall and ceiling repair;
- Good knowledge of safety practices used in painting and maintenance functions;
- Ability to work from ladders and scaffolding;
- Ability to communicate effectively with others, both orally and in writing, using both technical and non-technical language;
- Ability to understand and follow oral and/or written policies, procedures and instructions;
- Ability to use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions;
- Ability to perform a wide variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines;
- Ability and willingness to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology;
- Integrity, ingenuity and inventiveness in the performance of assigned tasks.

Acceptable Experience and Training

- Graduation from High School or possession of a GED; and
- Three years experience as a professional painter or as a journeyman painter.

**Required Special Qualifications**

- Valid New Hampshire's Drivers License;

Essential Physical Abilities

- Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, which permits the employee to communicate effectively;
- Sufficient vision or other powers of observation, with or without reasonable accommodation, which permits the employee to monitor and repair HVAC systems;
- Sufficient manual dexterity with or without reasonable accommodation, which permits the employee to operate hand and power tools;
- Sufficient personal mobility and physical reflexes, with or without reasonable accommodation, which permits the employee to work on and set up staging, ladders or other devices to safely work above ground level and access equipment and to be able to stoop, kneel, crouch, stand, walk, push, climb and grasp repetitively.

Approved by: _____ Date: _____

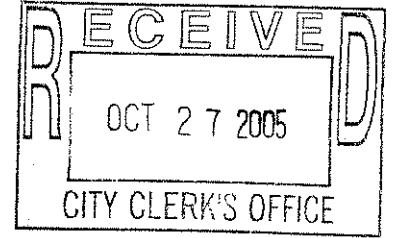


CITY OF MANCHESTER

Human Resources Department

One City Hall Plaza
Manchester, New Hampshire 03101-4000
Tel: (603) 624-6543 (V/TTY) • Fax: (603) 628-6065

October 12, 2005



Alderman William Shea, Chairperson
Human Resource and Insurance Committee
City of Manchester
One City Hall Plaza
Manchester, New Hampshire 03101

Re: Requests for New Classification and New Positions

Dear Alderman Shea and Members of the Committee:

On behalf of Tim Clougherty, Chief Facilities Manager, and Frank Thomas, Highway Director, I am requesting the establishment of a new class specification Painter, salary grade 13. In addition, I am requesting the establishment of two Painter positions.

Apparently years ago, the City had several painter positions. Those positions no longer exist. Due to the fact that there will be a need to maintain the new construction in the schools from the Design Build project, it has been determined that there will be a need to employ at least two full time Painters. Therefore, we have developed a new and updated class specification with the title of Painter. I am attaching a copy of the proposed class specification for your review and information. I am also attaching a copy of an updated organization chart for the Facilities Division. Funds are available in the Facilities budget to support these positions.

Your favorable approval of these requests would be greatly appreciated.

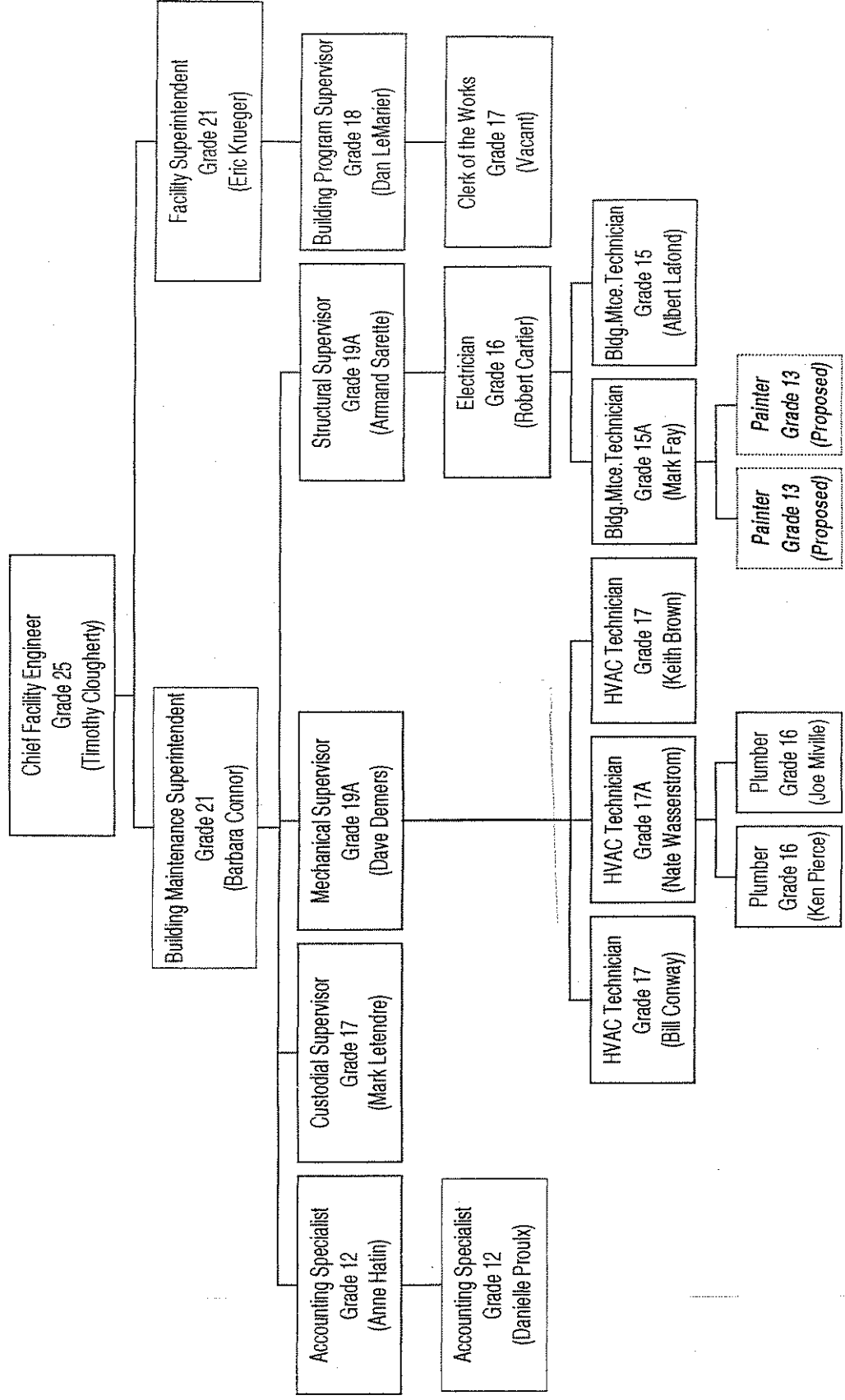
Respectfully submitted,

Virginia A. Lamberton
Human Resources Director

Attachments

Department of Highways

Facilities Division - Proposed New Job Classes



A

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Human Resources/Insurance respectfully advises, after due and careful consideration, that it has approved Ordinance:

“Amending Section 33.062, Part-Time Employees, of the Code of Ordinances of the City of Manchester.”

providing for a change that allows a part time employee to be granted a step increase upon satisfactory completion of 1,040 hours of work with additional step increases upon the satisfactory completion of 2,080 hours, and is recommending same be referred to the Committee on Bills on Second Reading for technical review.

(Unanimous vote, Alderman Garrity absent.)

Respectfully submitted,

L. N. Bernier

Clerk of Committee

At a meeting of the Board of Mayor and Aldermen

June 6, 2006 on a motion of Ald. DeVries

ly seconded by Duval the report

of the Committee accepted and its recommendations

(adopted) (denied)

L. N. Bernier
City Clerk

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending Section 33.062, Part-Time Employees, of the Code of Ordinances of the City of Manchester.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

I. Amend Section 33.062, Part-Time Employees, of the Code of Ordinances by deleting language stricken (---) and inserting new language as bolded (**bold**). Language of Section 33.062 not struck through or bolded remains unchanged.

§ 33.062 PART-TIME EMPLOYEES.

(A) Any employee occupying a position designated as FLSA exempt who is regularly employed on a continuing work schedule of less than 40 hours per week shall be compensated by multiplying the base pay rate by the number of regular hours worked per week.

~~(B) An employee occupying a position designated as FLSA non-exempt and who is employed on a part-time basis shall be paid on an hourly basis according to the provision of §33.063 of this subchapter.~~ An employee occupying a position designated as FLSA non-exempt and who is employed on a part-time basis shall be paid on an hourly basis.

(C) A part-time employee may be granted a step increase upon satisfactory completion of 1,040 hours of work. A part-time employee may be granted an additional step increase upon the satisfactory completion of 2,080 hours. Said employee will be eligible for subsequent step increases upon the satisfactory completion of each 2,080 hours of work until said employee reaches the maximum step in the salary grade to which the employee is assigned.

II. This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.

I

To the Board of Mayor and Aldermen of the City of Manchester:


The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that Ordinance:

“Amending the Code of Ordinances of the City of Manchester by adding a new Chapter 54: Storm Water to Title V: Public Works.”

ought to pass as amended.

(Unanimous vote)

Respectfully submitted,



Clerk of Committee

I

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Code of Ordinances of the City of Manchester by adding a new Chapter 54: Storm Water to Title V: Public Works.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

CHAPTER 54: STORM WATER

Section

- 54.01 Purpose
- 54.02 Definitions
- 54.03 Administration
- 54.04 Prohibited discharges
- 54.05 Permit procedures and requirements
- 54.06 General Permit Provisions
- 54.07 Waivers
- 54.08 Industrial activity discharges
- 54.09 Access and inspections of properties and facilities
- 54.10 Notification of accidental discharges and spills
- 54.11 Violations, enforcement and penalties
- 54.12 Eligibility

§ 54.01 PURPOSE.

The purpose of this chapter is to:

(A) Protect, maintain, and enhance the environment of the City of Manchester, New Hampshire and the public health, safety and the general welfare of the citizens of the city, by controlling discharges of pollutants to the city's storm water system and to maintain and improve the quality of the receiving waters into which the storm water outfalls flow, including, without limitation, lakes, rivers, streams, ponds, wetlands, and groundwater of the city.

(B) Enable the City of Manchester to comply with the National Pollution Discharge Elimination System permit (NPDES) and applicable regulations, 40 CFR §122.26 for storm water discharges.

(C) Allow the City of Manchester to exercise the powers granted by the State of New Hampshire through applicable statute to:

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by adding a new Chapter 54: Storm Water to Title V: Public Works."

I

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- (1) Exercise general regulation over the planning, location, construction, and operation and maintenance of storm water facilities in the City, whether or not owned and operated by the City;
- (2) Adopt any regulations deemed necessary to accomplish the purposes of this ordinance, including the adoption of a system of fees for services and permits;
- (3) Establish standards to regulate the quantity of storm water discharged and to regulate storm water contaminants as may be necessary to protect water quality;
- (4) Review and approve plans for storm water management in proposed subdivisions or commercial developments;
- (5) Issue permits for storm water discharges, or for the construction, alteration, extension, or repair of storm water facilities;
- (6) Suspend or revoke permits when it is determined that the permittee has violated any applicable ordinance, or condition of the permit;
- (7) Regulate and prohibit discharges into storm water facilities of sanitary, industrial, or commercial sewage or waters that have otherwise been contaminated; and
- (8) Expend funds to remediate or mitigate the detrimental effects of contaminated land or other sources of storm water contamination, whether public or private.

§54.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BEST MANAGEMENT PRACTICES. Physical, structural, and/or managerial practices that, when used singly or in combination, prevent or reduce pollution of water, that have been approved by the City of Manchester, and that have been incorporated by reference into the Storm Water Regulations as if fully set out therein. (See Section 6A of the Storm Water Regulations for recommended Best Management Practices manuals.)



City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Code of Ordinances of the City of Manchester by adding a new Chapter 54: Storm Water to Title V: Public Works.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

COMBINED SEWER DRAINAGE SYSTEM. A single pipe conveyance system intended to receive both sewage and storm or surface water.

CONTAMINANT. Any physical, chemical, biological, or radiological substance or matter in water.

DEPARTMENT OF HIGHWAYS. The Highway Division of the City of Manchester.

DIRECTOR OF PUBLIC WORKS. The Chief Administrator of the Department of Highways who is authorized to assign Highway staff to oversee the implementation and enforcement of the Storm Water Regulations and the City of Manchester’s Storm Water Ordinance.

DISCHARGE. Dispose, deposit, spill, pour, inject, seep, dump, leak or place by any means, or that which is disposed, deposited, spilled, poured, injected, seeped, dumped, leaked or placed by any means including any direct or indirect entry of any solid or liquid matter into the Municipal Separate Storm Sewer System.

ILLICIT CONNECTIONS. Illegal and/or unauthorized connections to the municipal separate storm water system whether or not such connections result in discharges into that system. “Illegal Connection” means either of the following:

- (1) Any pipe, open channel, drain or conveyance, whether on the surface or subsurface, which allows an illicit discharge to enter the storm drain system including but not limited to any conveyances which allow any non-storm water discharge including sewage, process wastewater, and wash water to enter the storm drain system, regardless of whether such pipe, open channel, drain or conveyance has been previously allowed, permitted, or approved by an authorized enforcement agency; or
- (2) Any pipe, open channel, drain or conveyance connected to the municipal separate storm sewer system which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

ILLICIT DISCHARGE. Any discharge to the Municipal Separate Storm Sewer System that is not composed entirely of storm water and not specifically exempted under Section 2(J) of the Storm Water Regulations.

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by adding a new Chapter 54: Storm Water to Title V: Public Works."

I

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

LAND DISTURBING ACTIVITY. Any activity on property that results in a change in the existing soil cover (both vegetative and non-vegetative) and/or the existing soil topography. Land-disturbing activities include, but are not limited to, development, re-development, demolition, construction, reconstruction, clearing, grading, filling and excavation.

MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4). The conveyances owned or operated by the municipality for the collection and transportation of storm water, including the roads and streets and their drainage systems, catch basins, curbs, gutters, ditches, man-made channels, and storm drains.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT. A permit issued pursuant to 33 USC Section 1342(b) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

PERSON. Any and all persons, including any individual, firm or association and any city or private corporation organized or existing under the laws of this or any other state or country.

POLLUTANT. Anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; petroleum hydrocarbons; automotive fluids; cooking grease; detergents (biodegradable or otherwise); degreasers; cleaning chemicals; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects and accumulations, so that same may cause or contribute to pollution; sediment; floatables; pesticides, herbicides, and fertilizers; liquid and solid wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; concrete and cement; and noxious or offensive matter of any kind.

POLLUTION. The contamination or other alteration of any water's physical, chemical or biological properties by the addition of any constituent and includes but is not limited to, a change in temperature, taste, color, turbidity, or odor of such waters, or the discharge of any liquid, gaseous, solid, radioactive, or other substance into any such waters as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety, welfare, or environment, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life.



City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Code of Ordinances of the City of Manchester by adding a new Chapter 54: Storm Water to Title V: Public Works.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

PREMISES. Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

STATE WATERS. Any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and other bodies of surface and subsurface water, natural or artificial, lying within or forming a part of the boundaries of the State of New Hampshire which are not entirely confined and retained completely upon the property of a single person.

STORM WATER. Storm water runoff, snow melt runoff, surface runoff, street wash waters related to street cleaning or maintenance, infiltration and drainage.

STORM WATER APPEALS COMMITTEE. A three-member committee consisting of a Highway Commissioner, an engineer from a private engineering firm and an engineer from the Department of Highways.

STORM WATER MANAGEMENT. The programs to maintain quality and quantity of storm water runoff to pre-development levels.

STORM WATER MANAGEMENT FACILITIES. The drainage structures, conduits, ditches, combined sewers, sewers, and all device appurtenances by means of which storm water is collected, transported, pumped, treated or disposed of.

STORM WATER MANAGEMENT PLAN. The set of drawings and other documents that comprise all the information and specifications for the programs, drainage systems, structures, Best Management Practices, concepts and techniques intended to maintain or restore quality and quantity of storm water runoff to pre-development levels.

STORM WATER POLLUTION PREVENTION PLAN (SWPPP). A plan that clearly describes appropriate control measures that include a description of all pollution control measures (i.e., Best Management Practices) that will be implemented as part of the construction activity to control pollutants in storm water discharges and describes the interim and permanent stabilization practices for the site.

STORM WATER REGULATIONS. A supplement to the Storm Water Ordinance that includes additional conditions and requirements. Copies are available at the Department of Highways and the Office of the City Clerk.

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by adding a new Chapter 54: Storm Water to Title V: Public Works."

I

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

STORM WATER RUNOFF. Flow on the surface of the ground, resulting from precipitation and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

STORM WATER UTILITY. The Department of Highways and its duly authorized agents created by ordinance of the City to administer the Storm Water Management Ordinance, and other Storm Water Regulations adopted by the City.

STRUCTURAL BEST MANAGEMENT PRACTICES. Devices that are constructed to provide control of storm water runoff.

STRUCTURAL STORM WATER CONTROL. A structural storm water management facility or device that controls storm water runoff and changes the characteristics of that runoff including, but not limited to, the quantity and quality, the period of release or the velocity of flow.

§ 54.03 ADMINISTRATION.

The Director of the Department of Highways or his designee shall administer the provisions of this ordinance and is hereby authorized to promulgate and amend such regulations as may be necessary and convenient to effectuate the purposes and enforce the requirements of this ordinance.

§ 54.04 PROHIBITED DISCHARGES.

The specific prohibited discharges outlined in the Storm Water Regulations are not inclusive of all discharges prohibited by this ordinance and the Storm Water Regulations.

§ 54.05 PERMIT PROCEDURES AND REQUIREMENTS.

(A) *Permit Required* - No land owner or land operator shall begin any site work on any building(s), grading or other land development or any land disturbance activities (as outlined in §54.06) without first submitting a Notice of Intent (NOI) to EPA Washington. Owner must also have received acknowledgement, have a Department of Highways approved Storm Water Pollution Prevention Plan and meet the requirements of this ordinance.



City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Code of Ordinances of the City of Manchester by adding a new Chapter 54: Storm Water to Title V: Public Works.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

(B) *General Waiver Requirement.* - Every applicant shall provide for storm water management as required by this ordinance and the Department of Highways Storm Water Regulations unless a written request is filed to waive this requirement. Requests to waive the Storm Water Management Program requirements shall be submitted to the Department of Highways for approval.

(C) *Application Requirements* - Unless specifically excluded by this ordinance, any landowner or operator desiring a permit for a land disturbance activity (as described in Section 4 of the Storm Water Regulations) shall secure required approvals through the City of Manchester's Planning Board and shall submit to the Department of Highways proof of NOI submission and a copy of the Storm Water Pollution Prevention Plan, as approved by the Department of Highways, for related project before beginning any site clearing or construction.

§ 54.06 GENERAL PERMIT PROVISIONS.

(A) *Land Disturbance permits when required* - Every owner/operator will be required to obtain an EPA General Permit from the EPA through a Notice of Intent in the following cases:

- (1) Land disturbing activity disturbs one (1) or more acres of land;
- (2) Land disturbing activity of less than one (1) acre of land if such activity is part of a larger common plan of development that affects one (1) or more acres of land;
- (3) Land disturbing activity of less than one (1) acre of land, if in the discretion of City of Manchester such activity poses a unique threat to water, or public health or safety;
- (4) The creation and use of borrow pits (the excavation of soils from one area to be used in another area that would meet any of the criteria of 1, 2, or 3 above).

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by adding a new Chapter 54: Storm Water to Title V: Public Works."

I

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

§ 54.07 WAIVERS.

Every applicant shall provide for Storm Water Management as required by the Storm Water Regulations, unless a written request is filed to waive this requirement. Requests to waive the Storm Water Management Program requirements shall be submitted to the Director of Public Works for approval and must meet the requirements of 40 CFR §122.26(g).

§ 54.08 INDUSTRIAL ACTIVITY DISCHARGES.

All operators of landfills, hazardous waste treatment, disposal, and recovery facilities and industrial facilities are subject to Section 313 of Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA) 42, USC § 11023, and industrial facilities that the City determines are contributing a pollutant load to the Municipal Separate Storm Sewer System, which are sources of storm water discharges associated with industrial activity shall comply with the requirements outlined in the City's Storm Water Regulations.

§ 54.09 ACCESS AND INSPECTION OF PROPERTIES AND FACILITIES.

(A) The representative of the Department of Highways shall be permitted to enter and inspect properties and facilities at reasonable times as often as may be necessary to determine compliance with this ordinance.

(B) If a property or facility has security measures in force, which require proper identification and clearance before entry into its premises, the owner or operator shall make the necessary arrangements to allow access to representatives of the Department of Highways.

(C) The owner or operator shall allow the representative of the Department of Highways ready access to all parts of the premises for the purposes of inspection, sampling, photography, videotaping, examination and copying of any records that are required under the conditions of a National Pollutant Discharge Elimination System Permit to discharge storm water.

(D) The Department of Highways shall have the right to set up on any property or facility such devices as are necessary in the opinion of the Department of Highways to conduct monitoring and/or sampling of flow discharges.

I

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Code of Ordinances of the City of Manchester by adding a new Chapter 54: Storm Water to Title V: Public Works.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

(E) The Department of Highways may require the owner or operator to install monitoring equipment and perform monitoring as necessary, and make the monitoring data available to the Department of Highways. This sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the owner or operator at his/her own expense. All devices used to measure flow and quality shall be calibrated to ensure their accuracy.

(F) Any temporary or permanent obstruction to safe and easy access to the property or facility to be inspected and/or sampled shall be promptly removed by the owner or operator at the written or oral request of the Department of Highways and shall not be replaced. The costs of clearing such access shall be borne by the owner or operator.

(G) Unreasonable delays in allowing the Department of Highways access to a facility shall be a violation of this ordinance.

(H) If the Department of Highways has been refused access to any part of the premises from which storm water is discharged, and the Department of Highways is able to demonstrate probable cause to believe that there may be a violation of this ordinance, or that there is an need to inspect and/or sample as part of a routine inspection and sampling program designated to verify compliance with this ordinance or any order issued hereunder, or to protect the overall public health, safety, environment and welfare of the community, then the Department of Highways may seek issuance of a search warrant from any court of competent jurisdiction.

§ 54.10 NOTIFICATION OF ACCIDENTAL DISCHARGES AND SPILLS.

Notwithstanding other requirements of law, as soon as any person responsible for a facility, activity or operation, or responsible for emergency response for a facility, activity or operation has information of any known or suspected release of pollutants or non-storm water discharges from that facility or operation which are resulting or may result in illicit discharges or pollutants discharging into storm water, the City of Manchester's separate storm sewer system, State Waters, or Waters of the U.S., said person shall immediately notify the Department of Highways and take all necessary steps to ensure the discovery, containment, and cleanup of such release so as to minimize the effects of the discharge.

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Code of Ordinances of the City of Manchester by adding a new Chapter 54: Storm Water to Title V: Public Works.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

§ 54.11 VIOLATIONS, ENFORCEMENT AND PENALTIES.

(A) It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of the City's Storm Water Ordinance or the Storm Water Regulations. Any person who has violated or continues to violate these provisions may be subject to the enforcement actions outlined in this section or may be restrained by injunction or otherwise abated in a manner provided by law.

In the event the violation constitutes an immediate danger to public health or public safety, the Department of Highways is authorized to enter upon the subject private property, without giving prior notice, to take any and all measures necessary to abate the violation and/or restore the property. The Department of Highways is authorized to seek costs of the abatement as outlined in §54.11(F).

(B) Whenever the Department of Highways finds that a violation of this ordinance or the Regulations has occurred, the Public Works Director or designee may order compliance by written Notice of Violation. The Notice of Violation shall contain:

- (1) The name and address of the alleged violator;
- (2) The address when available or a description of the building, structure or land upon which the violation is occurring, or has occurred;
- (3) A statement specifying the nature of the violation;
- (4) A description of the remedial measures necessary to restore compliance with this ordinance and a time schedule for the completion of such remedial action;
- (5) A statement of the penalty or penalties that may be assessed against the person to whom the notice of violation is directed; and,
- (6) A statement that the determination of violation may be appealed to the Department of Highways Storm Water Appeals Committee by filing a written notice of appeal within five (5) days of service of notice of violation.

(C) Such notice may require without limitation:

- (1) The performance of monitoring, analyses, and reporting;
- (2) The elimination of illicit discharges and illegal connections;



City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Code of Ordinances of the City of Manchester by adding a new Chapter 54: Storm Water to Title V: Public Works.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- (3) That violating discharges, practices, or operations shall cease and desist;
- (4) The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property;
- (5) Payment of costs to cover administrative and abatement costs; and,
- (6) The implementation of pollution prevention practices.

(D) *Appeal of Notice of Violation* - Any person receiving a Notice of Violation may appeal the determination of the Department of Highways. The appeal must be received within five (5) days from the date of the Notice of Violation. Filing of an appeal does not relieve the owner from full compliance with the remedial actions outlined in the Notice of Violation. Hearing on the appeal before the Department of Highways, Storm Water Appeals Committee shall take place within thirty (30) days from the date of receipt of the appeal. The decision of the Storm Water Appeals Committee shall be final.

(E) *Enforcement Measures After Appeal* - If the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, then representatives of the Department of Highways may enter upon the subject private property and are authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the government agency or designated contractor to enter upon the premises for the purposes set forth above.

(F) *Costs of Abatement of the Violation* - Within ten (10) days after abatement of the violation, the owner of the property will be notified of the cost of abatement, including administrative costs. The property owner may file a written protest objecting to the assessment or to the amount of the assessment within fifteen (15) days of such notice. If the amount due is not paid within thirty (30) days after receipt of the notice, or if an appeal is taken, within five (5) days after a decision on said appeal, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment. Any person violating any of the provisions of this article shall become liable to the City of Manchester by reason of such violation.

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Code of Ordinances of the City of Manchester by adding a new Chapter 54: Storm Water to Title V: Public Works.”

1

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

(G) *Civil Penalties* - In the event the alleged violator fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within two (2) days, or such greater period as the Department of Highways shall deem appropriate, after the Director of Public Works or designee has taken one or more of the actions described above, the Public Works Director may impose a penalty not to exceed \$1,000 (depending on the severity of the violation) for each day the violation remains unremedied after receipt of the notice of violation.

(H) *Criminal Penalties* - For violations of the Storm Water Ordinance or the Regulations, the Director of Public Works may issue a citation to the alleged violator requiring such person to appear in court to answer charges for such violation. Upon conviction, such person shall be punished by a fine not to exceed \$1,000 for each day the violation has occurred, or imprisonment for up to sixty (60) days or both. Each act of violation and each day upon which any violation shall occur shall constitute a separate offense.

(I) *Violations Deemed a Public Nuisance* - In addition to the enforcement process and penalties provided in this ordinance any threat to public health, safety, welfare and environment and is declared and deemed a nuisance, may be abated by injunctive or other equitable relief as provided by law.

(J) *Remedies Not Exclusive* - The remedies listed in this ordinance and the Regulations are not exclusive of any other remedies available under any applicable Federal, State or local law and the City of Manchester may seek cumulative remedies.

The City of Manchester may recover attorney's fees, court costs, and other expenses associated with enforcement of this ordinance, including sampling and monitoring expenses.

§ 54.12 ELIGIBILITY.

(A) *Permit Eligibility* - Permit eligibility is limited to discharges from “large” and “small” construction activity or as otherwise designated by the EPA. This general permit contains eligibility restrictions, as well as permit conditions and requirements. Permittee may have to take certain actions to be eligible for coverage under this permit. In such cases, permittee must continue to satisfy those eligibility provisions to maintain permit authorization. If permittee does not meet the requirements that are pre-condition to eligibility, then the resulting discharges constitute unpermitted discharges. By contrast, if permittee does not comply with the requirements of the general permit, permittee may be in violation of the general permit for their otherwise eligible discharges.



City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Code of Ordinances of the City of Manchester by adding a new Chapter 54: Storm Water to Title V: Public Works.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

(B) Combined Sewer Drainage Systems Discharges from “large” and “small” construction activity or as otherwise designated by the EPA that flow into a combined sewer system are not covered by the EPA’s Phase II Storm Water Program. A Notice of Intent does not need to be submitted to the EPA nor does the owner/operator have to receive acknowledgement from the EPA prior to the start of construction activity.

The City of Manchester is requiring in these instances that all other conditions as outlined in this ordinance or the Regulations shall apply to all construction activity as defined in §54.06 with the exception of submitting the Notice of Intent to EPA Washington. The requirements for determination of no impact status as outlined in the Endangered Species Act and Historic Preservation Act along with the completion of a Storm Water Pollution Prevention Plan as outlined in the Notice of Intent submission is still a mandatory submission to the City of Manchester and must follow the conditions as outlined in the EPA’s Notice of Intent.

5

To the Board of Mayor and Aldermen of the City of Manchester:


The Committee on Community Improvement respectfully recommends, after due and careful consideration, that:

the Black Brook Dam (a.k.a. Maxwell Pond Dam) be removed.

The Committee advises that it has requested staff to pursue State, In-Kind services, and other funding sources to meet the estimated cost of \$115,000 for removal.

(Aldermen Garrity, Osborne, Gatsas and Duval voted yea; Alderman O'Neil was absent.)

Respectfully submitted,



Clerk of Committee

BLACK BROOK/MAXWELL POND

March 2004 Original submittal received

2004 Appeared on various Lands & Buildings Committee agendas

January 20, 2005 Public hearing held by State

April 18, 2005 Committee on Lands & Buildings
Action Taken: Referred to BMA for presentation

May 3, 2005 Presentation made to BMA by Steve Landry (NHDES)
Action Taken: retain and repair dam and that it be referred to CIP for funding issues.

June 7, 2005 Committee on CIP
Action Taken: referred to CIP staff to report back in September.

September 13, 2005 Committee on CIP
Action Taken: \$70,00-\$75,000 to repair dam...look at bond balances...wait until FY2007 CIP program.
Tabled pending report from Planning Director.

December 5, 2005 Committee on CIP
Action Taken: Planning Director advised that State funds for the removal of the dam not available over the next 10 months as funds were reallocated to another project...could apply again next fall (2006) to the state for demolition of the dam. Quick patch roughly \$60,000...completely restore which would require dredging approximately \$1 million.

Retabled and referred to 2007 CIP budget.

March 7, 2006 Committee on CIP
Action taken: remained tabled.

T

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Lands and Buildings respectfully recommends, after due and careful consideration, that the Black Brook/Maxwell Pond Stream Restoration Proposal be referred to the full Board of Mayor and Aldermen for presentation.

May 3, 2005.

In Board of Mayor and Aldermen.

On motion of Alderman Forest, duly seconded by Alderman Porter, it was voted to retain and repair the dam.

On motion of Alderman DeVries, duly seconded by Alderman Smith, it was voted to refer to the Committee on Community Improvement.

Respectfully submitted,

L.R. Bunker

Clerk of Committee



City Clerk

Manchester Urban Ponds Restoration Program

One City Hall Plaza, Manchester NH 03101 (603) 624-6450 www.manchester.nh.gov/UrbanPonds

August 6, 2004

Lands & Buildings Committee
Honorable Board of Mayor and Aldermen
One City Hall Plaza
Manchester, NH 03101

Re: Black Brook/Maxwell Pond Stream Restoration Proposal

Honorable Committee Members:

The Manchester Urban Ponds Restoration Program (UPRP) was created in 2000 in an attempt to restore the city's urban ponds to their historic uses (such as boating, fishing, or swimming). The program attempts to promote public awareness, education and stewardship, reduce pollutant loading to improve water quality, maintain or enhance biological diversity, and provide improved recreational uses at each pond. One of the ponds in the program is Maxwell Pond.

Maxwell Pond has existed since 1900 when a dam was erected on Black Brook for the purpose of ice harvesting. Since that time the pond has been an ecosystem in need of restoration, since it has seen increased impacts from surrounding and upstream land uses over the last 50 years.

In 2001, I initiated an advisory committee comprised of environmental professionals to assess possible options for the restoration of the Maxwell Pond/Black Brook corridor. The initial discussions included dam removal as part of a larger Black Brook Corridor Restoration Project. There are many justifiable reasons for this option. First, the dam (currently in disrepair) no longer serves its original purpose, and is costly to maintain on a yearly basis. Second, the pond no longer resembles what it once was, and is no longer being used as a swimming area. Third, restoring Black Brook would enhance biological diversity and open up approximately 6 miles of unimpeded anadromous fish habitat from the Merrimack River upstream to Black Brook. This type of project, in the true spirit of restoration, certainly fits the scope and intent of the Manchester Urban Ponds Restoration Program.


Those on the advisory committee include representatives from the NH Department of Environmental Services, the NH Fish & Game Department, Trout Unlimited, the National Park Service, the Manchester Parks, Recreation & Cemetery Department, the Manchester Conservation Commission, and others. Each entity has been crucial in assisting the Urban Ponds Restoration Program with the design of a feasibility study, pre-restoration monitoring, and the likelihood of success of dam removal and habitat restoration at this site.

Through many hours of fieldwork and meetings, we have completed an exhaustive study of the impounded area to better understand the impacts of dam removal at this site. Since this is a City owned dam, the City holds the final determination of whether to move forward with the restoration of Black Brook by removing the impoundment. Considering such factors as timing, funding, dam maintenance, and habitat benefit, this is a rare opportunity for Manchester to restore at least some of what has been lost over the years.

In this period of rising environmental awareness, I ask that the Committee support this Urban Ponds Restoration Program initiative for the good of Manchester.

Thank you for your consideration.

Respectfully submitted,


Art Grindle

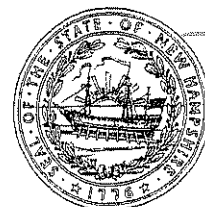
Urban Ponds Restoration Program Coordinator

07/14/04
11-15-2004
60 Forward +
Dave P.H.
inform

Committee
when P.H.
will be held.
1/5/05 - Herring
Tried



The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

March 15, 2004

Board of Mayor and Aldermen, Committee on Lands and Buildings
City of Manchester
1 City Hall Plaza
Manchester, NH 03101

Dear Committee Members:

The Black Brook Advisory Committee (BBAC) was created in 2002 in order to investigate the feasibility and scope of stream restoration activities along the Black Brook corridor. The BBAC is comprised of representatives from The City of Manchester Conservation Commission and Parks and Recreation Department, Trout Unlimited, the National Park Service and the Department of Environmental Services. Several collaborative efforts are currently underway that will provide detailed recommendations and restoration strategies geared toward returning Black Brook to a more natural condition and function.

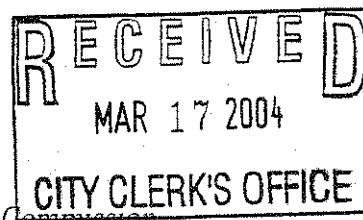
One of the major restoration initiatives identified by the BBAC is to investigate the potential removal of the dam on Maxwell Pond. The City of Manchester is currently faced with substantial financial obligations to repair and maintain the dam in order to maintain safety requirements and annual inspection fees etc. The City of Manchester wouldn't have to contribute any financial resources to a restoration project involving dam removal at Maxwell Pond.

The Black Brook Advisory Committee would like to request that a special meeting be convened by the Committee on Lands and Buildings to receive an informational presentation on the proposed Black Brook restoration efforts and specifically, the potential removal of the Maxwell Pond Dam. The presentation will focus upon restoration efforts, predicted benefits, financial incentives and the abundance of funding opportunities currently devoted to this project. Approximately 45 minutes would be required for the presentation and question and answer period to follow. Ultimately, we are seeking the approval of the Committee on Buildings and Lands to move forward with this effort and to provide a positive recommendation to the Board of Mayor and Alderman. Convening this proposed meeting by the end of April would be greatly appreciated as several of our funding sources are time sensitive. Please contact either of us with a proposed date and time or if you would like to discuss this request further. Thank you.

Sincerely,

Stephen C. Landry
NHDES, Merrimack Watershed Supervisor
(603) 271-2969

Jennifer Drociak
Manchester Conservation Commission
(603) 559-0028



MAXWELL POND DAM REMOVAL: RESTORATION OF BLACK BROOK IS FEASIBLE

HISTORY OF MAXWELL POND



Maxwell Pond was created by the installation of a dam on Black Brook in 1900. The pond was reportedly named for A.H. Maxwell, who owned the Manchester Coal & Ice Company at the time when ice was harvested there. Ice harvesting took place in the 1930's and '40's, when Maxwell Pond was considered the best source in Manchester for pure ice. The company was located upstream and would keep the ice cold with hay-bales and sell it year round.

Until the late 1950's, Maxwell Pond was a popular for swimming, picnicking, and fishing in the summer. In the winter months the pond provided a spot for skating, bonfires and hockey games. It was even considered for a secondary

municipal water source for the City of Manchester, but the idea was apparently abandoned sometime in the 1960's. In the late 1950's and early 1960's Maxwell Pond began to change when a cement company located upstream began impacting Black Brook by washing sediment into the streambed and impoundment.

WHY REMOVE DAMS?

There are more than 4,800 active and inactive dams in the State of New Hampshire. Many of these dams were built during the Industrial Revolution in the 19th and early 20th centuries, and they played central roles in New Hampshire's economic and societal growth during that period. But as technological and societal needs have changed, so too has the need for some dams.

Many New Hampshire dams and their impoundments enable and enhance values recreational uses, such as boating, fishing, and swimming. A smaller number of New Hampshire's dams provide important services such as water supply and flood control. But some dams, particularly those that are old, unsafe and uneconomical, may be good candidates to consider for removal.

Dams were historically built with little, if any, consideration to their impact on river systems. In the last several decades, resource managers have learned that dams cause environmental damage, that free-flowing rivers play a vital role in ecosystem health, and the selective dam removal can be both efficient and effective.

Selective dam removal can eliminate a public safety hazard, relieve a dam owner's financial and legal burdens and restore a river to a healthier, free-flowing condition. Consequently, some dam owners are taking a second look at their dams.

WHY REMOVE MAXWELL POND DAM?

Over the last 40-50 years, the community has not been able to swim in Maxwell Pond due to increases in sediment load from upstream sites over time. Today, the pond (which had a maximum depth of 8 feet in 1954) has a maximum depth of just 4 feet. Clearly the land uses upstream have had an impact on Maxwell Pond and historical activities have not taken place at the pond in many decades.

The possibility of restoring Black Brook by removing the Maxwell Pond dam came about as one of several corridor-wide efforts to restore Black Brook. These supplemental projects include riparian/wetland work upstream from Maxwell Pond near the City's transfer station, and brook restoration planning further upstream near Wakefield Materials.

WHAT ARE THE FACTORS OF DAM REMOVAL?

The process of selective dam removal looks at several factors such as possible wetland impacts, fish and wildlife impacts, social impacts, water quality and quantity impacts, historical resource impacts, sedimentation impacts, floodplain impacts,

BENEFITS OF SELECTIVE DAM REMOVAL

- Elimination of a public safety hazard.
- Cost savings to taxpayers and dam owners.
- Improvement to water quality.
- Elimination of barriers to fish and other aquatic species.
- Restoration of river habitats.
- Creation of new, river-based recreational opportunities.

and aesthetic impacts. It is the **environmental issues** that often trigger consideration for dam removal, but it is typically the **economic issues** that are the pivotal decision factor since it is, in many cases, less expensive to remove a dam than to maintain and repair it on a yearly basis. Engineering issues are typically straightforward, but it is the **social issues** that are the most challenging aspect.

ENVIRONMENTAL ISSUES

Dams can have many ecological impacts on rivers. They can block fish and other aquatic species from moving throughout a river system to access spawning sites and other critical habitats. Dams can hold back and cause buildup of sediment, woody debris, and other materials that would have naturally been disturbed throughout the river, playing important roles in providing nutrients and habitat for plants and animals downstream. Dams can increase water temperatures and decrease dissolved oxygen availability in impoundments, forcing many native river species out because they can't live under those conditions. Dams can also flood wetlands, floodplain forests and other ecosystems that naturally occur along the river's edge and serve valuable purposes.

The act of removing a dam may seem like a radical event to a river and the species that live in it, but rivers have proven themselves to be very resilient and able to "heal" quickly, based upon many dam removals that have taken place nationwide. Previously submerged lands revegetate rapidly, typically within a few weeks during the growing season. Fish populations and species diversity commonly increase in the restored stretch of the river within the first year after a dam is removed. Significant water quality improvements are often seen in a similarly short amount of time, depending upon conditions.

ECONOMIC ISSUES

The cost of keeping a dam safe, particularly when the dam is no longer serving an economic function, can represent a significant burden to the dam owner. Dam ownership requires ongoing financial responsibility. Sometimes the costs of operation and maintenance, liability protection, annual registration fees and other obligations of dam ownership may outweigh the benefits derived from the dam. Studies show that repairing a dam can often cost three times more than removing that dam. In addition, there are many potential funding sources. In this case, there are funding sources available to the City of Manchester from the Manchester Urban Ponds Restoration Program (UPRP), Department of Environmental Services (DES), NH Fish & Game Department (NHFG), Trout Unlimited (TU) among others. There would most likely be no cost to the City for dam removal, and all partners have been interested in seeking river restoration of this area.

SOCIAL ISSUES

Many people have concerns regarding dam removal, such as "will the river/waterbody disappear?" "will flooding occur?" or "will all the fish die?" Some concerns are based on lack of information while others are value-based. Many share both sets of concerns. However, proactive discussion rather than reactive decisions typically result in creative solutions.

WHAT PRE-RESTORATION WORK HAS BEEN COMPLETED?

During the Winter of 2001, DES and UPRP dug 310 holes in Maxwell Pond to examine sediment depth and locate the original brook channel. Sediment chemistry was then examined, and no contaminants were found. TU has been involved with surveying and aerial topographical mapping to examine channel morphological work. DES, NHFG, and TU also collected fish at four sites on Black Brook (two upstream from the impoundment and two downstream) to survey total population, weight, and lengths of the fish. At these same sites, macroinvertebrates (stream insects) were surveyed. Additional pre-restoration work (to be completed Summer 2003) will include a survey of fish inside the impoundment and additional channel cross-section work.

WHAT IS THE TIMEFRAME FOR POTENTIAL DAM REMOVAL AT MAXWELL POND?

FOR MORE INFORMATION

Contact the NH Department of Environmental Services, Water Division, Dam Bureau, River Restoration Coordinator at (603) 271-3406 or e-mail slindloff@des.state.nh.us. OR

The Manchester Urban Ponds Restoration Program at (603) 624-6450 or agrindle@ci.manchester.nh.us

Black Brook Dam - Manchester, NH

Annual Maintenance Costs Incurred by Parks, Recreation and Cemetery Department

City of Manchester - Maintenance and Associated Costs

Work Description	Frequency	Year Completed	Cost	Annual Cost
Annual Maintenance	Yearly	2002	\$ 950.00	\$ 950.00
Dam Inspection by NHDES	Yearly	2002	\$ 300.00	\$ 300.00
Emergency Action Plan (EAP)	5yrs.	1998	\$ 14,200.00	\$ 2,840.00
Repair & Improvements	15 yrs	1986	\$ 20,741.60	\$ 1,382.77

Average Annual Costs \$ 5,472.77

October 21, 2003

Sally Fellows
Office of the City Clerk
One City Hall Plaza
Manchester, NH 03101

Re: Lands & Buildings Committee Meeting Agenda for December 16, 2003

Dear Ms. Fellows:

I am writing to request that the Black Brook Advisory Committee be placed on the Lands & Buildings Committee agenda for Tuesday December 16, 2003.

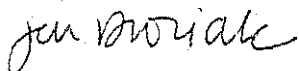
The Black Brook Advisory Committee includes members from the Manchester Conservation Commission, Parks & Recreation Department, Department of Environmental Services, and other organizations. Their focus has been on Maxwell Pond dam removal and Black Brook river restoration.

During this meeting the Black Brook Advisory Committee would like to discuss the feasibility of dam removal/river restoration, the alternative of dam repair, monetary costs associated with and ecological components of both options. The Black Brook Advisory Committee is ideally looking for an Aldermanic vote in favor of dam removal/river restoration and would be willing to give a second presentation to the Mayor and Board of Alderman afterwards, if necessary.

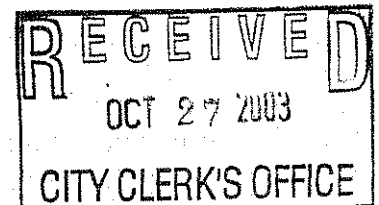
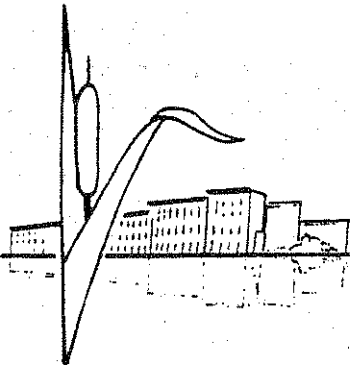
Please let me know if the Black Brook Advisory Committee will be on the Lands & Buildings Committee agenda for Tuesday December 16, but contacting me at 647-1826 or jen.drociak@nh.gov.

Thank you and I look forward to hearing from you.

Sincerely,



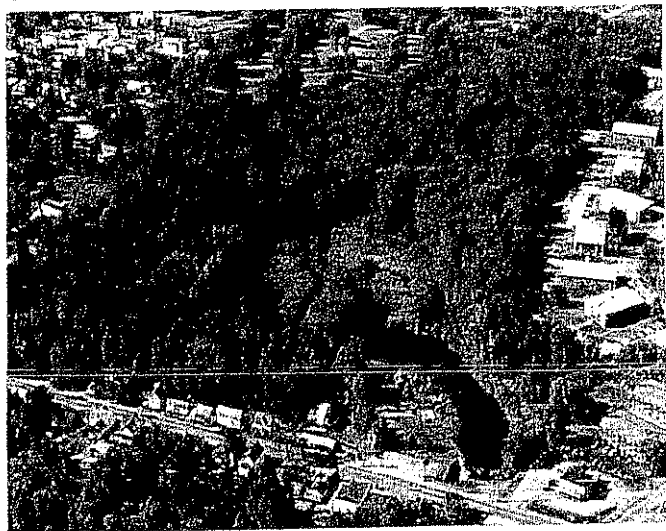
Jen Drociak
Manchester Conservation Commission



Mayor's Office, One City Hall Plaza, Manchester, NH 03101 (603) 624-6450

MANCHESTER
CONSERVATION
COMMISSION

Printed on recycled paper 5



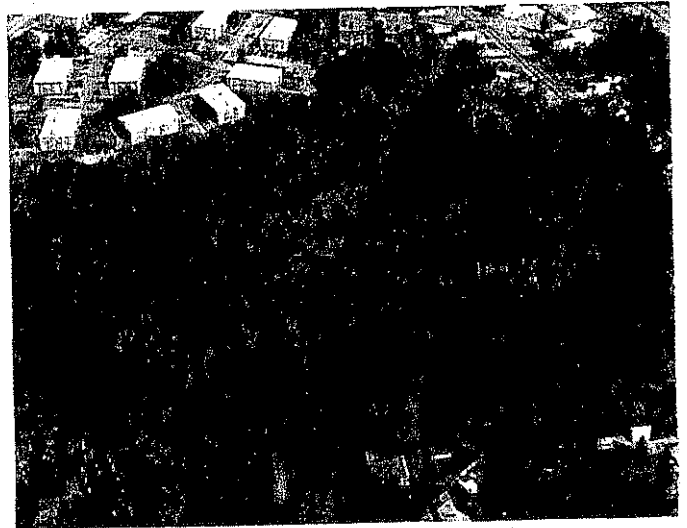
black_brook-19.jpg



black_brook-20.jpg



black_brook-22.jpg



black_brook-23.jpg

7

**Black Brook Dam Removal
Manchester, NH
Cost Estimate**

Page 1

11/15/2004

I. <u>LABOR (4 men crew)</u>	Labor Cost	Duration (days)
Mobilization		3
Labor Cost - (\$23.46/hr x 8 hrs/day x 4men x 3 days)	\$2,252.16	
Site Preparation & Water Control		2
Labor Cost - (\$23.46/hr x 8hrs/day x 4 men x 2 days)	\$1,501.44	
Demolition and Debris Removal		10
Labor Cost - (\$23.46/hr x 8 hrs/day x 4men x 10days)	\$7,507.20	
Demobilization and Restoration		8
Labor Cost - (\$23.46/hr x 8 hrs/day x 4 men x 8 day)	\$6,005.76	
Total Labor Cost=		
		\$17,266.56
Total # of Days=		
		23
II. <u>EQUIPMENT</u>		
In-House Rental (See attached "Dam Project Equipment Rental sheet for details)		
	\$4,652.00	\$4,652.00
Rental - Excavator w/ Hammer (1 week @\$3,500/wk)	\$3,500.00	
Rental - Excavator w/ thumb (2 weeks @ \$2,500/wk)	\$3,000.00	
Total equipment cost =		
		\$11,152.00
III. <u>MATERIALS</u>		
Misc. - rip-rap, gravel, turbidity curtains, silt fence, etc.	\$6,000.00	
Total Materials Cost =		
		\$6,000.00

Black Brook Dam Removal
Manchester, NH
Cost Estimate

Page 2

11/15/2004

V. PLANNING & PROJECT OVERSIGHT

4 weeks @ \$1,500 per week \$6,000.00

In-State Travel- 4 weeks @ 60mi/day, \$.375/mi \$450.00

Total Engineering Cost = \$6,450.00

VIII. Summary

A. Labor \$17,266.56

B. Equipment \$11,152.00

C. Materials \$6,000.00

G. Planning & Project Oversight \$6,450.00

F. 20% contingencies \$8,173.71

Total Project Cost = \$49,042.27

Dam Project - Equipment Rental

Project Estimate

Dam Project: Black Brook Dam Removal

Dam No.: PD 150.07

Equipment/Item	Class	No. of Days	Daily Rate	No. of Hours	Hourly Rate	Total \$
Brush Hog - WOODS	N/A		\$35.00		\$35.00	\$0.00
Brush Hog - JOHN DEERE	N/A		\$35.00		\$35.00	\$0.00
Brush Hog - JOHN DEERE	N/A		\$35.00		\$35.00	\$0.00
Compressor, Air (Le-Rol) (TR-552)	11001	14.00	\$24.55	84.00	\$24.22	\$353.78
Crane, Drott (ES-131)	19009		\$35.55		\$35.55	\$0.00
Crane, Quickway (ES-116)	19009		\$35.55		\$35.55	\$0.00
Crane, Quickway (ES-118)	19009		\$35.55		\$35.55	\$0.00
Dozer Backhoe TD-7	49003		\$35.00		\$35.00	\$0.00
EXCAVATOR - CASE 9010D	N/A		\$238.00		\$238.00	\$0.00
Jackhammer	N/A	5.00	\$24.00		N/A	\$120.00
Loader, Michigan (ES-135)	33002		\$32.35		\$32.00	\$0.00
Loader, Michigan (ES-??)	33002		\$32.35		\$32.00	\$0.00
Mower, Slope Master	49001		\$39.00		\$39.00	\$0.00
Mowers, Ferris	N/A		\$32.00		\$32.00	\$0.00
Mowers, Lawn (Small)	N/A		\$15.00		\$15.00	\$0.00
Saw, Hydraulic Concrete (18hp)	N/A	5.00	\$60.00	8.00	\$25.00	\$454.00
Saw, Brush	N/A		\$12.00		\$12.00	\$0.00
Saw, Chain (16"-19" blade)	N/A		\$12.00		\$12.00	\$0.00
Stomper, Stone/Compaction	N/A		\$37.50		\$37.50	\$0.00
Tractor, Ford	49001		\$39.00		\$39.00	\$0.00
Tractor, John Deere (no backhoe)	49001		\$39.00		\$39.00	\$0.00
Tractor, John Deere w/backhoe	49003		\$39.00		\$39.00	\$0.00
Trailer, 21-TON Rogers (TR-826)	53002	4.00	\$24.17	20.00	\$24.15	\$97.28
Trailer, Low-Bed 12-Ton (TR-550)	53002		\$12.17		\$12.43	\$0.00
Trailer, Hudson (TR-547)	53002		\$12.17		\$12.43	\$0.00
Trailer, Pequea (TR-670)	53002		\$12.17		\$12.43	\$0.00
Trailer, Pequea (TR-836)	53002		\$12.17		\$12.43	\$0.00
Trailer, Utility PJ (TR-464)	53002		\$12.17		\$12.43	\$0.00
Trailer, Const. Office (TR-???)	53007		\$37.00		N/A	\$0.00
Trimmers, Weed	N/A		\$12.25		\$12.90	\$0.00
Truck, 2-Ton Dump (ES114)	55010		\$22.33		\$23.01	\$0.00
Truck, 5-Ton Dump (ES115)	55011		\$21.02		\$20.55	\$0.00
Truck, 10-Wheel Dump (ES-110)	55012	20.00	\$50.52	120.00	\$7.51	\$1,923.60
Welder/Generator	11001	10.00	\$11.95	60.00	\$22.22	\$252.70
Wood Chipper 16T-300 (TR-551)	N/A		\$35.00		\$35.00	\$0.00
Wood Chipper (ES-133)	N/A		\$35.00		\$35.00	\$0.00
Wood Chipper 6" (TR-755)	N/A		\$35.00		\$35.00	\$0.00

Equipment/Item	Class	No. of Days	Daily Rate	No. of Miles	Cost/Miles	Total \$
1 Ton Crew Cab (ES113) Bill	55009	20.00	\$38.75	1,200.00	\$0.45	\$855.00
1 Ton Crew Cab (ES117) Bat Truck	55009		\$38.75		\$0.45	\$0.00
1 Ton Crew Cab (ES152) Jim	55009		\$38.75		\$0.45	\$0.00
1 Ton Dump Truck (ES 153)	55009		\$38.75		\$0.45	\$0.00
3/4 Ton PU Truck (ES 42) Chris	55015	20.00	\$23.75	1,200.00	\$0.40	\$595.00
3/4 Ton PU Truck (ES 44)	55015		\$23.75		\$0.40	\$0.00
3/4 Ton PU Truck (ES121) Old	55015		\$23.75		\$0.40	\$0.00
3/4 Ton PU Truck (ES151)	55015		\$23.75		\$0.40	\$0.00
3/4 Ton PU Truck (ES165)	55015		\$23.75		\$0.40	\$0.00
1/2 Ton Plow Truck (ES122)	55008		\$19.38		\$0.08	\$0.00

PAGE TOTAL: \$4,651.36

Signature: James W. Gallagher, Jr., P.E., Chief Water Resources Eng

Date _____



CITY OF MANCHESTER
Parks, Recreation & Cemetery Department

625 Mammoth Road
Manchester, NH 03104-5491
(603) 624-6565 Administrative Office
(603) 624-6514 Cemetery Division
(603) 624-6569 Fax

COMMISSION

Stephen Johnson, Chairman
Sandra Lambert, Clerk
George "Butch" Joseph
Michael Worsley
Dennis Smith
Ronald Ludwig, Director

June 6, 2006

The Honorable Board of Mayor and Alderman
City Hall
908 Elm Street
Manchester, NH 03101

Re: **Black Brook Dam**

IN BOARD OF MAYOR & ALDERMEN

DATE: July 11, 2006

ON MOTION OF A.L.D. Garrity

SECONDED BY A.L.D. Lopez

VOTED TO refer to Committee on CIP.

S. P. DePrima
CITY CLERK

Dear Members of the Board:

Black Brook Dam has been the subject of several letters of deficiency from the State of New Hampshire Department of Environmental Services Water Division Dam Bureau. Since Black Brook is very old, certain items have been identified by the NHDES that need repair. Following the letters of deficiency, the Board of Mayor & Alderman's Committee on Lands & Buildings has discussed the two options for addressing the dam.

The first option is to repair the dam as described in the letters of deficiency. The engineering firm of Dubois & King was hired several years ago to evaluate the dam and provide a construction estimate to complete the necessary repairs. Their estimate to repair identified deficiencies was submitted to our office in 2003 in the amount of \$60,000. Due to inflation and general increased construction costs we anticipate these repairs will cost approximately \$85,000.

The second option is to remove the dam entirely and restore the original stream channel. This NHDES has reviewed the feasibility of eliminating the Dam and restoring the brook to its original form and has determined that there are benefits that the City should consider including costs for annual maintenance, safety and environmental improvements.

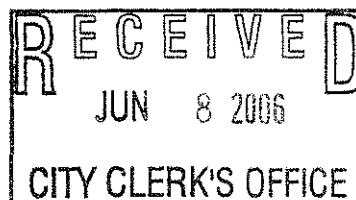
Should the City decide that the appropriate action is removal of the dam, this dept will be working with The State in a partnership to coordinate the project. Removal of the dam would be funded 60% from the State and the remaining 40% could be in-kind services from the City resulting in a greatly reduced net cost to the City.

Since neither action has been taken the NHDES, has issued an Executive Order (see attached) to the City. This order mandates the completion of either action by the city according to the schedule as outlined in the Executive Order. Since no funding has been recommended in the FY-07 budget this department respectfully seeks the guidance of the Board in this matter.

Best Regards,

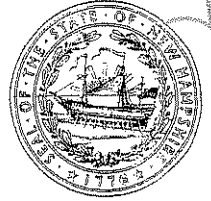
Chuck DePrima, Deputy Director

Cc: Ronald E. Ludwig, Director
Sean Thomas, Mayors Office
Robert S. MacKenzie, Planning Director
Sam Maranto, CIP





The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

City of Manchester
Attn: Parks & Recreation Department
625 Mammoth Road
Manchester, NH 03104

Re: Black Brook Dam
Dam #150.07

ADMINISTRATIVE ORDER
No. WD 06-015

May 25, 2006

A. INTRODUCTION

This Administrative Order is issued by the Department of Environmental Services, Water Division to the City of Manchester, pursuant to RSA 482:12 and RSA 482:87. This order is effective immediately upon issuance.

B. PARTIES

1. The Department of Environmental Services, Water Division ("DES"), is a duly-constituted administrative agency of the State of New Hampshire, having its principal office at 29 Hazen Drive, Concord, New Hampshire.
2. The City of Manchester is a duly-constituted municipality of the State of New Hampshire having a mailing address of 625 Mammoth Road, Manchester, NH 03104.

C. STATEMENTS OF FACTS AND LAW

1. Pursuant to RSA 482, DES regulates the construction and maintenance of dams so as to meet the stated statutory objectives, including the regulation of water levels, the lessening of flood damage, and the enhancement of public safety. Pursuant to RSA 482:87, the Commissioner of DES has adopted NH Admin. Rules Env-Wr 100-700 to implement this program.
2. According to DES records, the City of Manchester (the "City") owns the dam in Manchester, New Hampshire known as the Black Brook Dam, further identified as Dam #150.07 (the "Dam"). The Dam is located approximately 40 feet upstream of the secondary state highway, NH Route 3A, in Manchester, New Hampshire.
3. RSA 482:12 requires DES to periodically inspect all dams in the state which may pose a menace to public safety, and to take action to ensure that the dam is repaired if the inspection indicates that the public safety so requires.
4. RSA 482:2, V, defines a "dam in disrepair" as a dam which is a menace to public safety and is incapable of safely impounding flood waters to its crest, or is incapable of maintaining a reasonably constant level of waters impounded or which does not contain adequate gates and sluiceways to provide for the holding or controlled discharge of waters impounded.

5. RSA 482:11-a requires the owner of a dam to maintain and repair the dam so that it does not become a "dam in disrepair."

6. Env-Wr 101.25 defines "menace to public safety" as any dam, the failure of which would threaten life or property. Property, when used in this context, means buildings, structures or other real estate.

7. Env-Wr 101.08 defines "Class B Structure" as a dam with a significant hazard potential the failure of which would result in structural damage to a secondary state highway.

8. The Dam has been classified as a Class B Structure by DES because its failure would overtop a portion of a secondary state highway, Route 3A, and could cause damage to the bridge, which is approximately 40 feet downstream of the dam. There also exists the possibility of minor flooding to the area adjacent to the brook just downstream of the bridge.

9. On November 14, 2001, an inspection of the Dam was conducted in accordance with RSA 482:12 and Env-Wr 302.02 and the following deficiencies were noted by DES staff:

- The upstream face of the waste gate bar rack was clogged with debris;
- The concrete is spalling on the upstream face of the right abutment, toward the waste gate. In addition, there is a significant amount of efflorescence on this abutment; and
- There is seepage at the base of the right masonry spillway abutment wall. The seepage discharge appears to have increased to an estimated 5 gpm since the Dam was last evaluated in 1997. At the time of the 1997 inspection, the water level was approximately 6" lower than it was during the 2001 inspection.
- The operation and maintenance plan is in need of updating.
- The emergency action plan needs to be updated and tested.

10. On September 13, 2002, DES sent a Letter of Deficiency (the "LOD") to the City requesting that the deficiencies in C.9 above be corrected by December 31, 2002.

11. On October 10, 2002 the City responded to the LOD with a request to extend the deadline for repairs until 7/31/03.

12. On December 3, 2002 the City received an engineering estimate from a consulting firm for repair of the right concrete retaining wall. No schedule was proposed for the work.

13. On September 22, 2003 a follow-up inspection was conducted by DES. A sinkhole, approximately 1.5 feet wide by 3.5 feet deep, on the right downstream embankment adjacent to

the concrete abutment wall was noted. The City was notified of the inspection results. The follow-up inspection also revealed that work requested in the 9/13/02 LOD had not been addressed.

14. On July 29, 2004 and November 16, 2004 follow-up inspections were conducted by DES. The requested repair work noted in the 9/13/02 LOD and repair of the sinkhole had not been performed.

15. On June 22, 2005 DES conducted an inspection of the Dam with Mr. Chuck DePrima from the Manchester Parks and Recreation Department. The inspection resulted in the following deficiencies being noted by DES staff:

- A sinkhole, approximately 1.5 feet wide by 3.5 feet deep, on the right downstream embankment adjacent to the concrete abutment wall has been present since the fall of 2003. Below this sinkhole a seep has been discharging from the downstream right spillway training wall and noted in past inspections since 1985.
- The concrete on the right upstream retaining wall is cracked and spalling along most of its length.
- The operation and maintenance plan, dated 2002, needs updating.
- The Dam cannot pass the 100-year design storm event with one foot of freeboard and no operations.
- The annual review of the EAP is due.

15. On December 21, 2005 DES issued a letter to the City stating that an administrative order would be issued unless DES was contacted by the City regarding repair or removal of the dam. To date DES does not have a record of any response from the City to this letter.

16. The Dam is in disrepair as defined in RSA 482:2 V.

17. The Dam is a menace to public safety in its current state of disrepair, as a failure of the Dam would damage the downstream secondary state highway, NH Route 3A, in Manchester, New Hampshire.

D. DETERMINATION OF VIOLATIONS

1. The City of Manchester has violated RSA 482:11-a by failing to maintain the Dam to prevent it from becoming a "dam in disrepair".

E. ORDER

Based on the above findings, DES hereby orders the City of Manchester as follows:

By July 30, 2006

1. Provide evidence to DES that the City has hired a qualified engineering firm to conduct a comprehensive structural evaluation of the dam. The evaluation must include, at a minimum, (a) an investigation into the leakage on the right downstream abutment wall where a sinkhole has developed above the seep on the right downstream embankment; and (b) an investigation into the inadequacy of the dam to pass the design storm event with one foot of freeboard and no operations (Env-Wr 303.11-a-2), which should be based on a detailed hydrologic analysis of the watershed.
2. Stabilize the sinkhole in the right downstream embankment such that it does not worsen during the evaluation period.
3. Update the operation and maintenance plan. Include a monitoring schedule in the Operation and Maintenance Plan. Carefully monitor the seepage at the base of the right masonry spillway abutment wall and notify the DES if there is any increase. Record the seepage discharge rate and corresponding pond level.
4. Repair the spalling concrete on the right upstream retaining wall.
5. Review the Emergency Action Plan ("EAP") as required annually. Provide DES with any revisions or notify DES that the EAP is current.

By December 31, 2006

6. Conduct a deep drawdown in the presence of a licensed and qualified engineer in order to conduct a detailed inspection of the Dam in the vicinity of the right abutment. This work is recommended, in part, to further investigate the leakage on the right downstream abutment wall and sinkhole that has developed above the seep on the right downstream embankment.
7. Provide an engineering assessment and recommendations to address items outlined in items E.1 and E.6, as well as all other deficiencies in need of attention.
8. Obtain all necessary permits (e.g. DES Wetlands Bureau and Dam Bureau permits) for the reconstruction of the Dam.

By December 31, 2007

9. Complete reconstruction of the Dam as recommended by the engineering investigation.

If the City elects to remove the Dam, then the City must address Item E.10 through E.12, below:

10. **By July 30, 2006** notify DES of decision by the City to remove the dam.

11. By December 31, 2007, submit design plans, specifications and any required DES permit applications for the removal of the Dam.

12. By December 31, 2008, remove the Dam in accordance with the approved plans, specifications, and permit conditions.

Send correspondence, data, reports, and other submissions made in connection with this Administrative Order, **other than appeals**, to DES as follows:

Grace Levergood, P.E., Dam Safety Engineer, Dam Bureau
DES Water Division
P.O. Box 95
Concord, NH 03302-0095
Phone: (603) 271-1971
Fax: (603) 271-7894
E-mail: glevergood@des.state.nh.us

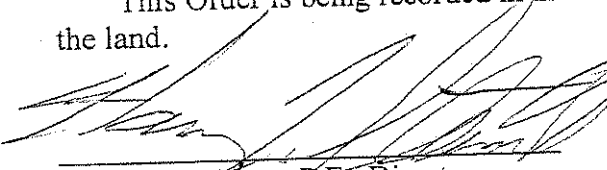
F. APPEAL

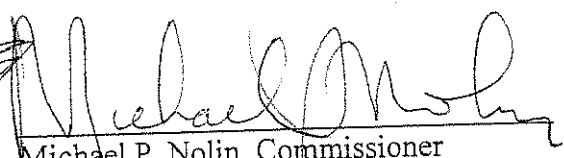
Any person aggrieved by this Order may appeal the Order to the Water Council by filing an appeal that meets the requirements specified in Env-Wc 200 within 30 days of the date of this Order. Copies of the rule are available from the DES Public Information Center at (603) 271-2975 or at <http://www.des.state.nh.us/desadmin.htm>. Appealing the Order does not automatically relieve the City of the obligation to comply with the Order.

G. OTHER PROVISIONS

Please note that RSA 482:89 provides for administrative fines and criminal penalties for the violations noted in this Order. DES will continue to monitor the City's compliance with applicable requirements and will take appropriate action if additional violations are discovered.

This Order is being recorded in the Hillsborough County Registry of Deeds so as to run with the land.


Harry T. Stewart, P.E., Director
Water Division


Michael P. Nolin, Commissioner
Department of Environmental Services

Certified Mail/RRR: 7000 1670 0000 0588 6660
cc: Gretchen Hamel, DES Legal Unit Administrator
Public Information Officer, DES PIP Office
NH AGO

K

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Joint School Buildings respectfully advises, after due and careful consideration, that it has accepted the monthly report for June/July 2006 as submitted by DMJM, and is forwarding same to the Board for informational purposes.

(School Committee Members Beaudry, Gelinas and Aldermen Roy, Thibault and Forest voted yea; School Committee Member Herbert was absent.)

Respectfully submitted,



Clerk of Committee



Monthly Report – June/July 2006

City of Manchester
Joint School Building Committee Meeting: July 11, 2006
School Facilities Improvement Project

1.0 Budget:

- Budget overview summary attached

2.0 Schedule:

- Project schedule overview attached.

Activity Summary:

The last day of school for students was Thursday, June 22nd. Construction activity has switched to day-shift hours. Central High School, Memorial High School classroom addition, Southside Middle School and Hillside Middle School classroom additions were all in full use by students and faculty (all year) and continue to have ongoing punchlist activities. Most schools have undergone a majority of the punchlist process with miscellaneous isolated interior spaces and exterior (roof, site restoration, etc.) remaining. Contractors continue to work on punchlist items. There is ongoing training sessions with the appropriate City personnel for new building systems and components.

3.0 Previous Months' Progress (18 May 06 – 05 July 06):

- Central High School
 - Punchlist
- West High School
 - MEP Work Ongoing
 - Fintube Radiation Replacement Complete
 - Punchlist
- Memorial High School
 - Interior Renovation MEP Nearly Complete
 - Interior Painting Complete
 - Ceiling Tile Installation Ongoing
 - Interior Punchlist Ongoing
- Hillside Middle School
 - Final MEP Nearly Complete
 - Punchlist
- Southside Middle School
 - Final MEP Nearly Complete
 - Punchlist
- Parkside Middle School
 - Final MEP Nearly Complete
 - Punchlist
- Wilson Elementary School
 - MEP Installation Complete
 - Interior Painting Nearly Complete
 - Exterior Door Installation Nearly Complete
 - Interior Punchlist
- Beech Street Elementary School
 - MEP Installation Nearly Complete
 - Exterior Grate Infill Installation Work Ongoing
 - Punchlist



Manchester Public
School Facilities
Improvement Project

DMJM
AN AECOM COMPANY
Project Office

222 South Jewett Street · Manchester, NH 03103
T 603.644.0410 · F 603.644.0411

- Hallsville
 - MEP Installation Nearly Complete
 - Door Installation Nearly Complete
 - Punchlist
- Weston Elementary School
 - MEP Installation Nearly Complete
 - Punchlist
- Parker Varney
 - MEP Installation Nearly Complete
 - Punchlist
- Bakersville Elementary School
 - Punchlist
- McDonough Elementary School
 - MEP Nearly Complete
 - Punchlist
- Safety Meetings Ongoing
- Ongoing Weekly Project Status Meetings
- OCIP Ongoing
- Manchester Resident Employment Report (attached)

4.0 **Upcoming Activities (06 July 06 – 16 August 06):**

- Central High School
 - Punchlist
- West High School
 - MEP Work Completion
 - Punchlist
- Memorial High School
 - MEP Interior Renovations Continues
 - Punchlist Continues
- Hillside Middle School
 - Final MEP Nearing Completion
 - Final HRU Installation
 - Punchlist
- Southside Middle School
 - Final MEP Nearing Completion
 - Punchlist
- Parkside Middle School
 - Final MEP Complete
 - Punchlist
- Wilson Elementary School
 - Final MEP Ongoing
 - Interior Painting Completion
 - Flooring Work Nearing Completion
 - Exterior Door Installation Complete
- Beech Street Elementary School
 - MEP Installation Nearing Completion
 - Exterior Grate Infill Installation Nearing Completion
 - Punchlist
- Hallsville
 - Door Installation Nearly Complete



Manchester Public
School Facilities
Improvement Project

DMJM
AN ASCOM COMPANY
Project Office

222 South Jewett Street · Manchester, NH 03103
T 603.644.0410 · F 603.644.0411

K

- Punchlist
- Weston Elementary School
 - Punchlist
- Parker Varney Elementary School
 - Punchlist
- Bakersville Elementary School
 - Door Replacement to Commence
 - Punchlist
- Green Acres Elementary School
 - Roof Replacement Continues
- McDonough Elementary School
 - MEP Nearing Completion
 - Gymnasium Painting Continues
 - Punchlist
- OCIP Continues

5.0 Critical Issues:

- Punchlisting

6.0 New Issues:

- Change Orders #23 and #24



Manchester Public
School Facilities
Improvement Project

DMJM

AN AECOM COMPANY

Project Office

222 South Jewett Street · Manchester, NH 03103

T 603.644.0410 · F 603.644.0411

7.0 Progress Photos

Late May to Early July

Beech Street Exterior Grate Removal at Entrance



Activity ID	Activity Description	Orig. Dur.	Early Start	Early Finish	SUP	Sort
PVHA320	PARKER VARNNEY ES CONSTR - RICKEY CHAPPELL	510'	22JUN04	28JUN06	9	1
WEHMA10	WESTON ES CONST - KIM JACKSON	531'	28JUN04	28JUL06	7	1
MCNMA30	MCDONOUGH ES CONSTR - KIM JACKSON	414'	01NOV04	14JUN06	8	1
BCHMA30	BEECH ES CONST - KIM JACKSON	272'	21JUN04	14JUL06	7	1
DESIGN GROUP #3						
209'	21JUN04	17APR06				
209'	21JUN04	17APR06				
338'	10JUN04	06OCT06				
70'	19APR06	28JUL06				
48'	19APR06	21JUN06				

Start Date: 21JUN04

Print Date: 18APR06

Print Date: 24APR06 1:09

Print Date: 24APR06 1:09

Early Bar

Progress Bar

Start Date: 21JUN04

Print Date: 18APR06

Print Date: 24APR06 1:09

Print Date: 24APR06 1:09

GILBANE BUILDING COMPANY

MANCHESTER SCHOOLS MASTER SCHEDULE

CONSTRUCTION OPERATIONS SCHEDULE

Gilbane



Manchester Public
School Facilities
Improvement Project

DMJM
AN AECOM COMPANY
Project Office

222 South Jewett Street · Manchester, NH 03103
T 603.644.0410 · F 603.644.0411

K

JOINT SCHOOL BUILDING COMMITTEE

HIGHWAY DEPARTMENT / PROJECT FINANCIAL REPORT

5-Jul-06

DESIGN/BUILD/FINANCE SCHOOL IMPROVEMENT PROGRAM - Project #310303

		FUNDING	SOURCE:		Bond
BUDGET		FY03 CIP	School Revenue Bond		\$101,410,000
		FY03 CIP	Gen.Obligation Bond		\$3,590,000
		FY03 CIP	Earned Interest		\$3,395,000
109,247,719		FY05	School Admin.Funding		\$252,719
AUTHORIZED VENDOR DESCRIPTION AND APPROVAL DATE	BUDGET	AMOUNT ENCUMBERED	PERCENT COMPLETE	AMOUNT EXPENDED	RETAINAGE HELD
INSURANCE & LEGAL					
Arthur J. Gallagher & Co.					
Insurance Administrative & Broker Services	\$250,000.00	\$0.00	100%	\$250,000.00	
Primary Insurance of \$25,000,000	\$265,000.00	\$0.00	100%	\$265,000.00	
Excess Insurance of \$25,000,000	\$130,000.00	\$0.00	100%	\$130,000.00	
Liberty Mutual Insurance Company					
OCIP Premiums	\$1,479,523.00	\$0.00	100%	\$1,479,523.00	
Workmen's Compensation Premium	\$25,000.00	\$0.00	100%	\$25,000.00	
OCIP Loss Fund	\$286,812.35	\$18,854.02	93%	\$267,958.33	
Fernando Insurance - CHS Statue Insure	\$7,500.00	\$0.00	100%	\$7,500.00	
Fernando Insurance - Builders Risk Insurance	\$26,080.00	\$0.00	100%	\$26,080.00	
Ropes & Gray - Consultant Services	\$138,321.64	\$0.00	100%	\$138,321.64	
Albert Risk Management Consultants - OCIP	\$2,217.75	\$0.00	100%	\$2,217.75	
Insurance & Legal To Date	\$2,610,454.74				
PROGRAM MANAGEMENT					
Program Management Services					
DMJM H&N	\$3,141,000.00	\$66,429.28	98%	\$3,074,570.72	
OTHER EXPENSES					
Information Systems - Computer equipment & Remote Se	\$1,009.95	\$0.00	100%	\$1,009.95	
PSNH - West HS 3Phase High Voltage Install	\$5,000.00	\$0.00	100%	\$5,000.00	
PSNH - Central HS 3Phase Primary & Transformer	\$15,205.99	\$0.00	100%	\$15,205.99	
Seacoast Diversified - West HS Strip lead paint	\$4,920.00	\$0.00	100%	\$4,920.00	
CEO TwinState - Smyth,Jewett,Gossier Light Fixtures	\$2,815.57	\$0.00	100%	\$2,815.57	
Building Permits	\$753,187.65	\$0.00	100%	\$753,187.65	
United Oil Recovery - Remove oil from CHS tank	\$2,761.25	\$0.00	100%	\$2,761.25	
RPF Associates, Inc. - Dust Settling Testing	\$1,772.50	\$0.00	100%	\$1,772.50	
RPF Associates, Inc. - Lead Paint Testing	\$1,156.24	\$0.00	100%	\$1,156.24	
Alpha Asbestos - Lead Paint Removal West HS Railings	\$2,450.00	\$0.00	100%	\$2,450.00	
Alarmax - Smoke Detectors for Webster	\$669.29	\$0.00	100%	\$669.29	
Highway Dept. - Pavement Patching @ Webster	\$1,975.46	\$0.00	100%	\$1,975.46	
W/W Grainger - Portable Blowers for Hillside/Southside Sh	\$809.56	\$0.00	100%	\$809.56	
Century Mechanical - Southside Shelter Exhaust Fans	\$894.31	\$0.00	100%	\$894.31	
Foley & Buhl Engineering - Hallsville Assessment	\$3,800.00	\$0.00	100%	\$3,800.00	
Damon Insulation Co. - Insulate Rain Leader Southside	\$1,950.00	\$0.00	100%	\$1,950.00	
Alpha Asbestos - Hang Plastic Southside Shelter	\$1,475.00	\$0.00	100%	\$1,475.00	
RPF Associates - Memorial Asbestos Sampling	\$496.00	\$0.00	100%	\$496.00	
RPF Associates - Beech Dust Settling testing	\$3,349.00	\$0.00	100%	\$3,349.00	
Scott Lawson - Beech St. Abatement Consultant	\$1,660.25	\$0.00	100%	\$1,660.25	
Alpha Asbestos - Classical ACM Floor Core samples	\$2,175.00	\$0.00	100%	\$2,175.00	
Wood Science Specialists - CHS-C Flooring	\$1,917.30	\$0.00	100%	\$1,917.30	
Other Expenses To Date	\$811,450.32				

K



Manchester Public
School Facilities
Improvement Project

DMJM
AN AECOM COMPANY
Project Office

222 South Jewett Street - Manchester, NH 03103
T 603.644.0410 - F 603.644.0411

DESIGN BUILD PROJECT - PAGE 2 OF 4					
AUTHORIZED VENDOR DESCRIPTION		AMOUNT	PERCENT	AMOUNT	RETAINAGE
AND APPROVAL DATE	BUDGET	ENCUMBERED	COMPLETE	EXPENDED	HELD
Design & Construction Services					
Gilbane Building Company - Base Contract	\$94,900,200.00	\$2,621,617.63	97%	\$92,278,582.37	\$4,874,452.97
Change Orders					
CO#1: Wall System Rev	\$0.00				
CO#2: Cable Reroute	\$0.00				
CO#3: Gym Floor Lines	\$0.00				
CO#4: Jewett Repainting	\$0.00				
CO#5: Middle School Structure	\$0.00				
CO#6: Rebuild Chimneys	\$0.00				
CO#7: Architectural, Painting & Carpentry Changes	\$0.00				
CO#8: CHS-PA Refinish Auditorium Flooring	\$27,648.00	Funding from School District per 6/30/04 MSD Authorization			
CO#9: MHS Stage Piggling and WHS Furniture Move	\$0.00	No Change in Contract Total			
CO#10: Furniture Move at Central	\$12,550.00	Funding from FF&E			
CO#11: HSMS Unsuitable Soils & EBU Rewiring	\$32,724.20	Funding from Contingency			
CO#12 Hillside/Southside MS Stairs & Addition Bathroom	\$325,453.00	Funding from Contingency			
CO#13 Central Intercom/Webster Ceilings	\$16,352.00	Funding from Contingency			
CO#14 Hazmat Removal	\$848,864.12	Funding from Contingency			
CO#15 CHS Bleachers & New Divider	\$187,543.58	Funding from Contingency			
CO#15 WHS Lockers	\$102,600.00	Funding from Contingency			
CO#15 WHS Consumer Science Room	\$52,488.24	Funding from School District per 6/30/04 MSD Authorization			
CO#15 Southside Restore Bleacher Integrity	\$3,888.00	Funding from Contingency			
CO#16 CHS Consumer Science Upgrade	\$81,961.20	Funding from School District per 6/30/04 MSD Authorization			
CO#16 CHS, Parkside Changes	\$7,336.00	Funding from Contingency			
CO#16 Weston Additional Painting	\$37,130.00	Funding from Contingency			
CO#17 CHS, WHS, McDonough, Bakerville, HGF, PK-V	\$102,150.00	Funding from Contingency			
CO#18 MHS, Beech and West Various Changes	\$7,865.00	Funding from Contingency			
CO#19 MHS, WHS, Hillside, Southside, Hallsville, NW, MST	\$97,236.48	Funding from Contingency			
CO#20 MHS, CHS, Hillside, Southside, Beech	\$93,005.00	Funding from Contingency			
CO#21 MHS, CHS, WHS, Hillside, McDonough, Hallsville, MST	\$78,581.94	Funding from Contingency			
CO#22 CHS, WHS, Hillside, Southside, Parkside, Beech, Warton	\$5,745.00	Funding from Contingency			
CO#23 Beech Bleachers & Stair Treads, Bakerville Chimney Reduction	\$14,297.00	Funding from Contingency			
CO#24 Central, Hallsville, ORan Parkside	\$16,113.00	Funding from Contingency			
Future: MHS Consumer Science Upgrade	\$111,372.00	\$60,000.00	School District Funding per 6/30/04 MSD Authorization		
New Guaranteed Maximum Price (GMP)	\$97,163,003.76				
					of \$60,000 and \$51,372 FF&E Below
Program FF&E	\$2,000,000.00				
MHS - Consumer Science Upgrade (And \$60M by MSD)	\$51,372.00	\$51,372.00	0%		
WB Mason - Hillside - Administration	\$44,242.23	\$0.00	100%	\$44,242.23	
WB Mason - Hillside - Classrooms	\$70,195.67	\$0.00	100%	\$70,195.67	
WB Mason - Southside - Administration	\$41,001.89	\$0.00	100%	\$41,001.89	
WB Mason - Southside - Classroom	\$69,325.14	\$0.00	100%	\$69,325.14	
WB Mason - West HS - Administration	\$60,284.88	\$0.00	100%	\$60,284.88	
WB Mason - West HS - Classrooms	\$39,720.54	\$0.00	100%	\$39,720.54	
WB Mason - Central HS - Administration	\$141,151.24	\$0.00	100%	\$141,151.24	
WB Mason - Central HS - Classroom	\$68,362.75	\$0.10	100%	\$68,362.65	
WB Mason - Memorial HS - Classroom	\$98,365.68	\$0.00	100%	\$98,365.68	
WB Mason - Memorial HS - Administration	\$24,948.66	\$0.00	100%	\$24,948.66	
School Furnishings - Cafeteria Tables	\$210,231.10	\$0.00	100%	\$210,231.10	
Central HS - Furniture Move CO#10	\$12,550.00	\$0.00	100%	\$12,550.00	
Union Leader - Central HS - Ad Sidewalk Plow Inv. To Bid	\$65.61	\$0.00	100%	\$65.61	
Howard P. Fairfield - Central HS - Sidewalk Plow	\$71,660.00	\$0.00	100%	\$71,660.00	
Aramark - CHS, MHS, Southside, Hillside - Entrance Mats	\$10,576.23	\$0.00	100%	\$10,576.23	
School District: Reimburse for CHS Portable Bleachers	\$11,700.00	\$0.00	100%	\$11,700.00	
Convergent Media Systems - High School Class TV's	\$46,510.00	\$0.00	100%	\$46,510.00	
Aramark - Floor Machines/Carpet Extractor for additions	\$78,832.00	\$0.00	100%	\$78,832.00	
Ice House Refrigeration - Central Ice Maker	\$2,305.00	\$0.00	100%	\$2,305.00	
Telephone Technologies - MHS & Southside Portables	\$10,166.00	\$0.00	100%	\$10,166.00	
Telephone Technologies - CHS/Hillside/Gr. Acres Portables	\$3,020.00	\$0.00	100%	\$3,020.00	
Interstate Electric - CHS Portable Disconnect FA	\$518.00	\$0.00	100%	\$518.00	
BK Systems - Gr. Acres/Hillside Disconnect FA	\$1,859.00	\$0.00	100%	\$1,859.00	
GA Laflamme - Gr. Acres Power Portable/Wire FA System	\$11,212.89	\$0.00	100%	\$11,212.89	
Mr. Fix-It - Gr. Acres & Hillside Portable Ramps	\$4,990.00	\$0.00	100%	\$4,990.00	
Paul Cloutier - Gr. Acres Portable Sewer, Water Paving	\$11,000.00	\$0.00	100%	\$11,000.00	



Manchester Public
School Facilities
Improvement Project

DMJM
AN AECOM COMPANY
Project Office

222 South Jewett Street · Manchester, NH 03103
T 603.644.0410 · F 603.644.0411

K

DESIGN BUILD PROJECT - PAGE 3 OF 4					
AUTHORIZED VENDOR DESCRIPTION	BUDGET	AMOUNT ENCUMBERED	PERCENT COMPLETE	AMOUNT EXPENDED	RETAINAGE HELD
Century Mechanical - Gr. Acres Portable Plumbing Install	\$7,225.00	\$0.00	100%	\$7,225.00	
Information Systems - Printer, Server & Software	\$20,290.74	\$0.00	100%	\$20,290.74	
Hillyard - Central Safety Cabinets	\$5,025.00	\$0.00	100%	\$5,025.00	
School District - Reimburse Central HS Appliances	\$3,873.91	\$0.00	100%	\$3,873.91	
Pelmac-Gossier Intercom/MHS & Southside Port. Disconnect	\$462.50	\$0.00	100%	\$462.50	
Perkins - Central HS Sterilizer	\$7,609.00	\$0.00	100%	\$7,609.00	
Wards Natural Science - CHS, Southside, Hillside Science E	\$69,130.44	\$6,178.03	91%	\$62,952.41	
Conway Office - Six Copiers	\$83,995.00	\$0.00	100%	\$83,995.00	
Barnstead International - Central HS Distillers	\$9,965.84	\$0.00	100%	\$9,965.84	
Alert Scientific Inc. - Central Distiller Installation	\$1,325.00	\$0.00	100%	\$1,325.00	
Decker Inc. - School Floor Savers	\$39,705.02	\$0.00	100%	\$39,705.02	
Delta Education - Central Science Equipment	\$320.38	\$0.00	100%	\$320.38	
Educational Innovations - Central Science Equipment	\$119.19	\$0.00	100%	\$119.19	
Frey Scientific - Hillside & Southside Science Equipment	\$3,490.56	\$0.00	100%	\$3,490.56	
J. Salles & Sons - Memorial Locker Repairs	\$13,420.00	\$0.00	100%	\$13,420.00	
Nasco - Memorial Art Tables	\$4,744.00	\$0.00	100%	\$4,744.00	
Pasco - Central Science Equipment	\$6,594.27	\$0.00	100%	\$6,594.27	
Sargent-Welch - CHS, MHS & Southside Science Equip.	\$40,810.09	\$3,928.83	90%	\$36,881.26	
Sargent-Welch - CHS & MHS Credit for returned goods	(\$5,429.66)	\$0.00	100%	(\$5,429.66)	
Schiavi-Portable Move Hillside, Gr. Acres, Southside & MHS	\$39,354.97	\$0.00	100%	\$39,354.97	
SK Boreal Lab - Central & Southside Science Equipment	\$4,306.59	\$0.00	100%	\$4,306.59	
OfficeMax - Hillside & Southside Projectors	\$1,598.00	\$0.00	100%	\$1,598.00	
Tice Associates - Southside Microscopes	\$9,900.00	\$0.00	100%	\$9,900.00	
Vernier Software & Tech. - Central Science Equipment	\$11,598.23	\$0.00	100%	\$11,598.23	
School Furnishings - McDonough Cafeteria Tables	\$29,100.60	\$0.00	100%	\$29,100.60	
JR Pepper Electric - Reinstall Light Poles MHS Rear	\$7,472.00	\$0.00	100%	\$7,472.00	
Highway-Southside Extend Pkg Lot & Curb & Remove Deck	\$6,793.67	\$0.00	100%	\$6,793.67	
Home Depot - 4" Lever caps for Portable capoffs	\$15.92	\$0.00	100%	\$15.92	
Evans Line Constructio - Southside Remove transformer	\$2,000.00	\$0.00	100%	\$2,000.00	
Bio-Rad Laboratories - MHS Electrophoresis Station	\$2,371.27	\$0.00	100%	\$2,371.27	
Carolina Biology - MHS Science Equipment	\$6,131.69	\$600.01	92%	\$5,531.68	
Nasco - CHS Art Tables	\$7,945.99	\$0.00	100%	\$7,945.99	
Flinn Scientific - MHS Science Equipment	\$46,731.73	\$2,639.80	94%	\$44,091.93	
Southern NH Univ. - CHS Basketball Facility Rental 5x	\$4,050.00	\$0.00	100%	\$4,050.00	
Williams Communications - Beech Intercom System	\$37,839.00	\$0.00	100%	\$37,839.00	
Williams Communications - Parkside Ceiling Speakers	\$3,235.00	\$3,235.00	0%		
WB Mason - Memorial	\$4,015.10	\$0.00	100%	\$4,015.10	
WB Mason - Central	\$7,543.79	\$0.00	100%	\$7,543.79	
WB Mason - Bakersville	\$14,698.19	\$0.00	100%	\$14,698.19	
WB Mason - Beech	\$11,873.47	\$0.00	100%	\$11,873.47	
WB Mason - Green Acres	\$14,306.41	\$0.00	100%	\$14,306.41	
WB Mason - Gossier	\$3,816.40	\$0.00	100%	\$3,816.40	
WB Mason - Hallsville	\$11,208.76	\$0.00	100%	\$11,208.76	
WB Mason - Highland Goffes Falls	\$15,857.85	\$0.00	100%	\$15,857.85	
WB Mason - Jewett	\$3,104.02	\$0.00	100%	\$3,104.02	
WB Mason - McDonough	\$6,143.76	\$0.00	100%	\$6,143.76	
WB Mason - Northwest	\$2,707.09	\$0.00	100%	\$2,707.09	
WB Mason - Parker-Varnay	\$17,030.40	\$0.00	100%	\$17,030.40	
WB Mason - Smyth	\$12,501.50	\$499.90	36%	\$12,001.60	
WB Mason - Webster	\$15,776.14	\$0.00	100%	\$15,776.14	
WB Mason - Weston	\$17,626.68	\$0.00	100%	\$17,626.68	
WB Mason - Wilson	\$6,617.93	\$0.00	100%	\$6,617.93	
Apple Computer - Central 6 eMacs/6 HP All-in-One	\$5,669.10	\$5,669.10	0%		
Stateline Sports - Southside & Parkside Volleyball Stands	\$6,100.00	\$0.00	100%	\$6,100.00	
Doty & Sons - Concrete Receptacles	\$30,000.00	\$30,000.00	0%		
WB Mason - Hillside Storage cabinets/Coat trees	\$3,585.06	\$0.00	100%	\$3,585.06	
WB Mason - Southside Storage cabinets/Coat rack	\$2,767.85	\$0.00	100%	\$2,767.85	
Famous Lockers - Memorial Football Lockers	\$20,800.00	\$0.00	100%	\$20,800.00	
Highway Dept. - Southside Repave Parking Lot	\$13,521.15	\$0.00	100%	\$13,521.15	
Traffic Dept. - Post Signs & Stripe Parking Lot	\$1,294.41	\$0.00	100%	\$1,294.41	
Highway Dept. - Hillside Excavate Waterline & Pave Portal	\$276.51	\$0.00	100%	\$276.51	
Penney Fence - Southside Guardrail Relocation	\$1,300.00	\$0.00	100%	\$1,300.00	

K



Manchester Public
School Facilities
Improvement Project

DMJM
AN ASCOM COMPANY

Project Office

222 South Jewett Street · Manchester, NH 03103

T 603.644.0410 · F 603.644.0411

DESIGN BUILD PROJECT - PAGE 4 OF 4					
AUTHORIZED VENDOR DESCRIPTION AND APPROVAL DATE	BUDGET	AMOUNT ENCUMBERED	PERCENT COMPLETE	AMOUNT EXPENDED	RETAINAGE HELD
DRG Construction - install white boards in grade schools	\$4,275.00	\$480.00	89%	\$3,795.00	
WB Mason - Memorial 5 Shelves	\$1,225.00	\$0.00	100%	\$1,225.00	
WB Mason-Nurse panels CHS, WHS, MHS, Southside, Hillside	\$375.00	\$0.00	100%	\$375.00	
Balance for Future FF&E		\$14,695.98			
<i>Total FF&E Encumbered & Balance</i>	<i>\$2,000,000.00</i>	<i>\$119,198.75</i>		<i>\$1,880,801.25</i>	
CONTINGENCY					
Contingency/JSBC Approved Expenses	\$5,650,000.00				
Parker-Varney & Highland Open Concept Wall Designs \$155,000	\$0.00				
Mountainside Insulation - McDonough Insulate 27 ClsRms	\$4,860.00	\$0.00	100%	\$4,860.00	
Memorial - Guardrail Relocation(Penny Fence) Pave (Hwy)	\$6,518.47	\$0.00	100%	\$6,518.47	
Memorial - Replace & install Two New Boilers	\$320,000.00	\$320,000.00	0%		
Central HS Gymnasium - Painting in CO#21	\$0.00	\$0.00			
Central HS Granite War Memorial JS	\$25,306.81	\$25,306.81	0%		
Beech Fire Alarm Expansion JSBC 2-21-06	\$115,000.00				
C&M Engineering - Beech Fire Alarm Expansion	\$12,215.00	\$0.00	100%	\$12,215.00	
Union Leader - Beech FA Bid Invitation (2x)	\$359.24	\$0.00	100%	\$359.24	
Spillers Graphics - Beech FA Plans	\$90.36	\$0.00	100%	\$90.36	
G.A. Laflamme - Beech - Fire Alarm Upgrade	\$97,200.00	\$92,700.00	5%	\$4,500.00	\$450.00
Balance of Beech Fire Alarm Expansion Authorization		\$5,135.40			
Foley Buhl Roberts - Hallsville Roof Structure Evaluation	\$29,800.00	\$7,580.00	75%	\$22,220.00	
Peimac - Central Security System Problems	\$14,124.00	\$0.00	100%	\$14,124.00	
Spillers Graphics - Hallsville Clock Tower Roof Plans	\$6.00	\$0.00	100%	\$6.00	
Chris Tartsa - Hallsville Clock Tower Repairs	\$3,900.00	\$0.00	100%	\$3,900.00	
Gerard A. Laflamme - Hallsville Tower/Move Conduits	\$350.00	\$0.00	100%	\$350.00	
Union Leader - Hallsville Roof Structure Prequal Contractors	\$393.21	\$0.00	100%	\$393.21	
Beech - New metal sign & aluminum storefront entrance	\$16,373.00	\$16,373.00	0%		
Memorial - New Storage Lockers for Band Instruments	\$26,587.05	\$26,587.05	0%		
The Grout Guy - Bakersville - Regrout Hallway Tile	\$9,000.00	\$9,000.00	0%		
Hallsville - Roof Repairs - Inv. To Bid Approved JSBC6/8/06					
Contingency/ Change Order Number & Amounts					
CO#11: HSMS Unsuitable Soils & EBU Rewiring JSBC	\$32,724.20	\$32,724.20			
CO #12 Hillside/Southside MS Stairs JSBC 11/25/04	\$325,453.00	\$325,453.00			
CO#13: Central Intercom/Webster Acoustical Ceiling	\$16,352.00	\$16,352.00			
CO#14: Hazmat Removal JSBC 3/22/05	\$848,864.12	\$848,864.12			
CO#15 CHS Bleacher/WHS Locker/Southside Bleacher	\$294,031.58	\$294,031.58			
CO#16 CHS & Parkside Changes & Weston Painting Weston	\$44,466.00	\$44,466.00			
CO#17 CHS, WHS, McDonough, Bakersville, HGF, Pk-Varn	\$102,150.00	\$102,150.00			
CO#18 MHS, Beech and West Various Changes	\$7,865.00	\$7,865.00			
CO#19 MHS, WHS, Hillside, Southside, Hallsville, NW, MST	\$97,236.48	\$97,236.48			
CO#20 MHS, CHS, Hillside, Southside, Beech	\$93,005.00	\$93,005.00			
CO#21 MHS, CHS, WHS, Hillside, McDonough, Hallsville, MST	\$78,581.94	\$78,581.94			
CO#22 CHS, WHS, Hillside, Southside, Parkside, Beech, Weston	\$5,745.00	\$5,745.00			
CO#23 Beech Bleachers & Stair Treads, Bakersville Chimney Reduction	\$14,297.00	\$14,297.00			
CO#24 Central, Hallsville and CR for Parkside	\$16,113.00	\$16,113.00			
Balance for Future Contingency Allocations		\$3,100,897.14			
<i>Contingency Authorized to Date</i>	<i>\$2,543,122.88</i>	<i>\$5,580,463.72</i>		<i>\$69,536.28</i>	
JSBC APPROVED CONTINGENCY BALANCE	\$3,100,897.14				
UNENCUMBERED PROJECT FUNDS	\$74,613.94				
ENCUMBERED/EXPENDED TOTAL	\$109,173,105.06	\$8,466,563.40		\$100,706,541.66	
TOTAL	\$109,247,719.00				



Manchester Public
School Facilities
Improvement Project

DMJM
AN ALCON COMPANY
Project Office

222 South Jewett Street · Manchester, NH 03103
T 603.644.0410 · F 603.644.0411

K

Office
222 South Jewett Street
Manchester, NH 03103
Telephone: 603-644-2212
Telegraph: 603-644-0314
Facsimile: 603-644-0315



July 8, 2006

Manchester Schools' Design Build Employment Committee
c/o Gilbane Building Company
220 South Jewett Street
Manchester, NH 03103

Reference: Manchester City-Wide Schools Project
Manchester, NH
Gilbane Project No. 11-3387-000
Manchester Resident Report – July 8, 2006

Dear Sirs/Madam:

Attached is our resident requirement report for the Manchester City-Wide Schools Project which includes reported data through 7/8/06

Page 1 includes monthly detail of subcontractors reported data. Please note that if any field is "blank", either the data is as yet unreported or the subcontractor has not yet begun work. If the subcontractor is "highlighted", they have completed their work and we have closed their contract. Page 2 is a summary by subcontractor of their goals vs. actual performance with the overall job percentage totals reported at the bottom.

Should you have any questions regarding this submittal, please do not hesitate to contact me at 603-644-3313 ext. 212.

Regards,

Alan Burns
Project Accountant

Enclosures

K



Manchester Public
School Facilities
Improvement Project

DMJM
AN AECOM COMPANY
Project Office

222 South Jewett Street · Manchester, NH 03103
T 603.644.0410 · F 603.644.0411

Manchester City-Wide Schools Project - Gilbane Job #11-3387-000													
*Reported Residency Data													
As of July 8, 2006													
Total Hours vs. Manchester Resident Hours													
	Jul-03 Thru Feb-06	Jul-03 Thru Feb-06	Mar-06 Resident	Mar-06 Total	Apr-06 Resident	Apr-06 Total	May-06 Resident	May-06 Total	Jun-06 Resident	Jun-06 Total	To Date Resident	To Date Total	
	Resident Hrs	Total Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	
Hayward Baker	69.50	1,514.00									69.50	1,514.00	
Francis Harvey & Sons	10,967.00	42,565.00	0.00	0.00	0.00	0.00	0.00	0.00			10,967.00	42,565.00	
Allan Industries	73,563.00	112,733.00	1,754.00	2,691.00	1,466.00	2,003.00	1,707.00	2,314.00			78,490.00	119,741.00	
HCI Craftsmen	20.50	27.50									20.50	27.50	
Hampshire Fire Protection	7,964.00	27,789.95									7,964.00	27,789.95	
Interstate Electric	25,058.00	85,413.50	36.50	180.50	0.00	77.00					25,094.50	85,571.00	
ACT Abatement	4.00	3,413.00									4.00	3,413.00	
A & E Flooring	1,781.50	6,369.75									1,781.50	6,369.75	
Essex Newburg & Sub	0.00	10,117.50									0.00	10,117.50	
George R. Cairns & Subs.	3,384.00	21,721.50	0.00	0.00			24.00	112.00			3,408.00	21,833.50	
C.P. Blouin	16,487.65	76,067.25	267.00	1,093.00	279.00	743.50	40.00	683.00	42.00	274.50	17,115.65	78,861.25	
Consolidated Electric	598.00	26,089.00									598.00	26,089.00	
American Steel	0.00	4,941.50	0.00	58.00	0.00	10.00	0.00	6.00			0.00	4,915.50	
Iaccarino & Sons	32.00	103.00									32.00	103.00	
Northern Plaster Works	0.00	2,292.00									0.00	2,292.00	
Francis H. Maroney	7,916.00	64,742.00	0.00	31.50	0.00	54.00	0.00	8.00			7,916.00	64,835.50	
Johnson Controls, Inc.	726.00	5,721.50	0.00	5.00	0.00	337.50	0.00	237.00	0.00	0.00	726.00	6,301.00	
Youngblood Co., Inc.	6,782.50	20,177.00	224.00	344.00	17.00	17.00	0.00	353.00			7,023.50	20,891.00	
Novel Iron Works, Inc.	0.00	14,951.50									0.00	14,951.50	
Northeast Masonry, Inc.	350.50	8,178.50			0.00	0.00					350.50	8,178.50	
King Painting	1,620.00	72,692.00									1,620.00	72,692.00	
Premier Caulking	180.50	521.00									180.50	521.00	
Kel Rick Construction	5,180.50	67,744.55	0.00	184.00	0.00	80.00	0.00	160.00			5,180.50	68,168.55	
Skylight Roofing	18,437.90	31,248.50	143.00	152.50	74.00	99.00	4.00	8.00			18,658.90	31,508.00	
New Hampshire Glass	2,012.50	17,414.00									2,012.50	17,414.00	
Stateline Acoustical Ceils	1,781.00	5,425.50	50.00	66.00							1,831.00	5,491.50	
Chamberlain Companies,	188.00	353.00									188.00	353.00	
Pine State Elevator	0.00	1,936.50									0.00	1,936.50	



Manchester Public
School Facilities
Improvement Project

DMJM
AN AECOM COMPANY

Project Office

222 South Jewett Street · Manchester, NH 03103

T 603.644.0410 · F 603.644.0411

K

Manchester City Schools Project - Gilbane Job #11-3387-000												
*Reported Resident												
As of July 8, 2006												
Total Hours vs. Mar Resident Hours												
	Jul-03 Thru Feb-06 Total Hours	Mar-06 Resident Hours	Mar-06 Total Hours	Apr-06 Resident Hours	Apr-06 Total Hours	May-06 Resident Hours	May-06 Total Hours	Jun-06 Resident Hours	Jun-06 Total Hours	To Date Resident Hours	To Date Total Hours	
Hate to Paint/Stain?	2,901.00									2,434.00	2,901.00	
Dec-Tam Corporation	7,892.50									70.00	7,892.50	
Twin Brooks Environme	0.00									0.00	0.00	
Major Theatre Equipmen	1,135.00									0.00	1,135.00	
Air Quality Experts, Inc.	3,088.75									0.00	3,088.75	
ABC Flooring Specialts	366.25									0.00	366.25	
Tucker Library Interiors	323.85									0.00	323.85	
American Sport Floors	3,229.50									0.00	3,229.50	
Northeast Interior Syste	2,293.00	0.00	22.00							935.00	2,315.00	
Pitcher Associates	2,499.50									1,162.50	2,499.50	
Abern Painting Co., Inc.	3,291.50									617.00	3,291.50	
Allegheny Contract Floo	5,461.00	0.00	0.00	0.00	0.00	0.00	0.00			4,565.00	5,461.00	
Eckhardt & Johnson	11,331.00									4,247.00	11,331.00	
F.A. Gray, Inc.	6,153.75	0.00	13.50	0.00	0.00					#VALUE!	#VALUE!	
Robert H. Lord	108.00									108.00	108.00	
Granite State Acoustics	6,781.50	164.50	332.50	128.00	269.50					4,711.00	7,383.50	
Material Handling Sales	677.00									0.00	677.00	
E.S. Boulos	1,839.50									768.50	1,839.50	
Merrimac Tile Company	633.00									96.00	633.00	
Ragnar Door Authority	340.25									68.75	340.25	
Gorman-Thomas, Inc.	1,560.50									202.50	1,560.50	
Monthly Totals	794,869.35	2,639.00	5,173.50	1,964.00	3,690.50	*****	3,881.00	42.00	274.50	#VALUE!	#VALUE!	
Total Manchester Hrs.												
Total Labor Hours												
% of Manchester Hours												
* Blank Field Equals Noted That Month												
Highlighted Subcontracted Out												

K



Manchester Public
School Facilities
Improvement Project

DMJM
AN AECOM COMPANY

Project Office

222 South Jewett Street · Manchester, NH 03103

T 603.644.0410 · F 603.644.0411

Manchester City-Wide Schools Project - Gilbane Job #11-3387-000				
Goals Vs. Actual Percentage Schedule Of Reported Hours				
As of July 8, 2006				
	<i>CUMULATIVE MANCHESTER HR.</i>	<i>CUMULATIVE TOTAL HOURS</i>	<i>GOAL PERCENTAGE MANCHESTER HOURS</i>	<i>ACTUAL PERCENTAGE MANCHESTER HOURS</i>
Hayward Baker	69.50	1,514.00	5.00%	4.59%
Francis Harvey & Sons	10,967.00	42,565.00	15.00%	25.77%
Allan Industries	78,490.00	119,741.00	6.00%	65.55%
HCI Craftsmen	20.50	27.50	50.00%	74.55%
Hampshire Fire Protection	7,964.00	27,789.95	10.00%	28.66%
Interstate Electric	25,094.50	85,671.00	5.00%	29.29%
ACT Abatement	4.00	3,413.00	0.00%	0.12%
A & E Flooring	1,781.50	6,369.75	2.00%	27.97%
Essex Newbury	0.00	10,117.50	0.00%	0.00%
George R. Cairns	3,408.00	21,833.50	5.00%	15.61%
C.P. Blouin	17,115.65	78,861.25	20.00%	21.70%
Consolidated Electric	598.00	26,089.00	5.00%	2.29%
American Steele	0.00	4,915.50	0.00%	0.00%
Iaccarino & Sons	32.00	103.00	0.00%	31.07%
Northern Plaster Works	0.00	2,292.00	0.00%	0.00%
Francis H. Maroney	7,916.00	64,835.50	15.00%	12.21%
Johnson Controls, Inc.	726.00	6,301.00	50.00%	11.52%
Youngblood Co., Inc.	7,023.50	20,891.00	15.00%	33.62%
Novel Iron Works, Inc.	0.00	14,951.50	0.00%	0.00%
Northeast Masonry	350.50	8,178.50	5.00%	4.29%
King Painting	1,620.00	72,692.00	10.00%	2.23%
Premier Caulking	180.50	521.00	0.00%	34.64%
Kel-Rick Construction	5,180.50	68,168.55	5.00%	7.60%
Skylight Roofing	18,658.90	31,508.00	10.00%	59.22%
New Hampshire Glass	2,012.50	17,414.00	15.00%	11.56%
Stateline Acoustical Ceilings	1,831.00	5,491.50	0.00%	33.34%
Chamberlain Companies	188.00	353.00	5.00%	53.26%
Pine State Elevator	0.00	1,936.50	0.00%	0.00%
Hate to Paint/Stain?	2,434.00	2,901.00	80.00%	83.90%
Dec-Tam Corporation	70.00	7,892.50	0.00%	0.89%
Twin Brooks Environmental	0.00	0.00	0.00%	



Manchester Public
School Facilities
Improvement Project

DMJM
AN AECOM COMPANY
Project Office

222 South Jewett Street · Manchester, NH 03103
T 603.644.0410 · F 603.644.0411

K

Major Theatre Equipment, Inc.	0.00	1,135.00	0.00%	0.00%
Air Quality Experts, Inc.	0.00	3,088.75	0.00%	0.00%
ABC Flooring Specialists	0.00	366.25	10.00%	0.00%
Tucker Library Interiors	0.00	323.85	0.00%	0.00%
American Sport Floors	0.00	3,229.50	0.00%	0.00%
Northeast Interior Systems	935.00	2,315.00	0.00%	40.39%
Pitcher Associates	1,162.50	2,499.50	20.00%	46.51%
Ahern Painting Co., Inc.	617.00	3,291.50	0.00%	18.75%
Allegheny Contract Flooring	4,565.00	5,461.00	0.00%	83.59%
Eckhardt & Johnson	4,247.00	11,331.00	0.00%	37.48%
F.A. Gray, Inc.	665.50	6,167.25	0.00%	10.79%
Robert H. Lord	108.00	108.00	0.00%	100.00%
Granite State Acoustics	4,711.00	7,383.50	0.00%	63.80%
Material Handling Sales	0.00	677.00	0.00%	0.00%
E.S. Boulos	768.50	1,839.50	0.00%	41.78%
Merrimac Tile Company	96.00	633.00	0.00%	15.17%
Ragnor Door Authority	68.75	340.25	0.00%	20.21%
Gorman-Thomas, Inc.	202.50	1,560.50	0.00%	12.98%
TOTALS	211,882.80	807,088.85		
OVERALL PERCENTAGE	26.25%			

CHANGE ORDER



CONTRACT FOR: Manchester City-Wide School Facilities
OWNER: City of Manchester Dept of Public Works
ADDRESS: 227 Maple Street
 Manchester, NH 03103

PROJECT NUMBER: 113387000
CHANGE ORDER NO: 23
DATE OF ISSUANCE: 04/26/06
SUBMITTED BY: Gilbane
CONTRACT DATED: 4/28/03

ARCHITECT: Lavalley/Brensinger Architects

Received
Program Management

The Contract changes as follows:

Office

CCA/COR Number	Change Request	Change Request Description	Amount
990063	990063	Miscellaneous Blueprinting due to DMJM document review.	558.00
310065	310065	Replace Existing Bleachers With New 4 Row Unit – Beech Street Elementary School	20,818.00
310080R	310080R	Install Rubber Treads And Landings at 4 Stairs – Beech Street Elementary School.	25,172.00
340051	340051	Reduction of Chimney Scope – Bakersville Elementary School.	-32,251.00
410092R	410092R	Increase Existing Lighting Levels at the 1 st Floor Court Area – Hallsville Elementary School	0.00

Signature of the Owner indicates agreement herewith, including any adjustment in the Contract Sum or the Contract Time

The original Guaranteed Maximum Price was	94,900,200.00
Net change by previously authorized and submitted Change Orders	2,115,276.76
Guaranteed Maximum Price prior to this Change Order	97,021,221.76
Guaranteed Maximum Price will be increased by this Change Order	14,297.00
The new Guaranteed Maximum Price including this Change Order will be	97,035,518.76
The Contract Time For Phase I Schools will be unchanged by	0 days
The Contract Time For Phase II Schools will be unchanged by	0 days
The date of Substantial Completion for Phase I School construction as of the date of this Change Order therefore is	08/28/05
The date of Substantial Completion for Phase II School construction as of the date of this Change Order therefore is	08/28/06

Owner:

City of Manchester Dept. of Highways

Date:

5-26-06

Manchester P.S. GP, LLC:

Rene J. Pincence

Date:

5/1/06

Distribution:

Owner
CR File

Gilbane
CO File

Other

CHANGE ORDER

Gilbane K

CONTRACT FOR: Manchester City-Wide School School Facilities
 OWNER: City of Manchester Dept of Public Works
 ADDRESS: 227 Maple Street
 Manchester, NH 03103

PROJECT NUMBER: 113387000
 CHANGE ORDER NO: 23
 DATE OF ISSUANCE: 04/26/06
 SUBMITTED BY: Gilbane
 CONTRACT DATED: 4/28/03

ARCHITECT: Lavalley/Brensinger Architects

The Contract changes as follows:

Received
 Program Management
 Office

CCA/COR Number	Change Request	Change Request Description	Amount
990063	990063	Miscellaneous Blueprinting due to DMJM document review.	558.00
310065	310065	Replace Existing Bleachers With New 4 Row Unit – Beech Street Elementary School	20,818.00
310080R	310080R	Install Rubber Treads And Landings at 4 Stairs – Beech Street Elementary School.	25,172.00
340051	340051	Reduction of Chimney Scope – Bakersville Elementary School.	-32,251.00
410092R	410092R	Increase Existing Lighting Levels at the 1 st Floor Court Area – Hallsville Elementary School	0.00

Signature of the Owner indicates agreement herewith, including any adjustment in the Contract Sum or the Contract Time

The original Guaranteed Maximum Price was	94,900,200.00
Net change by previously authorized and submitted Change Orders	2,115,276.76
Guaranteed Maximum Price prior to this Change Order	97,021,221.76
Guaranteed Maximum Price will be increased by this Change Order	14,297.00
The new Guaranteed Maximum Price including this Change Order will be	97,035,518.76
The Contract Time For Phase I Schools will be unchanged by	0 days
The Contract Time For Phase II Schools will be unchanged by	0 days
The date of Substantial Completion for Phase I School construction as of the date of this Change Order therefore is	08/28/05
The date of Substantial Completion for Phase II School construction as of the date of this Change Order therefore is	08/28/06

Owner:

Date:

City of Manchester Dept. of Highways

Manchester P.S. GP, LLC:

Rene J. Pincence

Date:

5/1/06

Distribution:

Owner
CR File

Gilbane
CO File

Other

GILBANE BUILDING COMPANY CONSTRUCTION CHANGE AUTHORIZATION

PROJECT NAME: Manchester City-Wide School
OWNER: City of Manchester Dept of Public Works
ADDRESS: 227 Maple Street
Manchester, NH 03103

MAR 15 2006
Received
Program Management

PROJECT NO: 113387000
CCA NO: 990063
DATE OF ISSUANCE: 3/15/06
ORIGINATOR: GILBANE
BUILDING
COMPANY

ARCHITECT: Lavallee/Brensinger Architects

Office

In order to expedite the work and avoid delays in the Work which will affect Contract Sum and/or Contract Time, the Contract Documents are hereby amended to include the additional Work described below, which is beyond the current scope of the Work.

Upon Owner approval, GILBANE BUILDING COMPANY will proceed with the Work promptly.

Costs as incurred are in addition to the current contract Sum and will be invoiced and paid on a monthly basis and identified as separate items within the requisition. Final cost of the Work involved and change in Sum and Time (if any) will be submitted for inclusion in a final Change Order adjusting the Contract Sum and/or Time.

DEFINITION:

Costs for reproductions of documents as a result of the City/DMJM document review.

ATTACHMENTS:

GBCo letter dated 3/14/05

FINAL

The following information is provided by GILBANE BUILDING COMPANY.

Method of determining change in Contract:

☒ Guaranteed Maximum Price ☐ Cost Plus Fee ☐ Unit Price ☐ Lump Sum ☐ Other

Change In Contract Sum	
Dollar Amount:	558.00
<input checked="" type="checkbox"/> Fixed	<input type="checkbox"/> Maximum
<input type="checkbox"/> Estimated	<input type="checkbox"/> Time and Material

Change In Contract time	
Time(Days):	0
<input type="checkbox"/> Fixed	<input type="checkbox"/> Maximum
<input checked="" type="checkbox"/> Estimated	

CR No.	Description	Cost Code	Contractor	Dollar Amount
990063	Misc Blueprinting	92594220	Gilbane	517.00
	Fee	99999900	Gilbane	41.00
			CR # 990063 Total	558.00
			CCA Total	558.00

Owner:

Date: 3-17-06

City of Manchester Dept of Public Works

Company:

GILBANE BUILDING COMPANY

Date: 3-15-06

Distribution:

Owner

CR File

CCA File

GILBANE BUILDING COMPANY

Other

GILBANE
NO. 2006

MAR 17 2006

REC

GILBANE BUILDING COMPANY

CONSTRUCTION CHANGE AUTHORIZATION

PROJECT NAME: Beech Street Elementary School
OWNER: City of Manchester Dept of Public Works
ADDRESS: 227 Maple Street
 Manchester, NH 03103

School Facilities
 Improvement Project

PROJECT NO: 113387310
CCA NO: 310065R
DATE OF ISSUANCE: 4/20/06
ORIGINATOR: GILBANE BUILDING COMPANY

APR 21 2006

Received
 Program Management

ARCHITECT: Lavallee/Brensinger Architects

In order to expedite the work and avoid delays in the Work which will affect Contract Sum and/or Contract Time, the Contract Documents are hereby amended to include the additional Work described below, which is beyond the current scope of the Work.

Upon Owner approval, GILBANE BUILDING COMPANY will proceed with the Work promptly.

Costs as incurred are in addition to the current contract Sum and will be invoiced and paid on a monthly basis and identified as separate items within the requisition. Final cost of the Work involved and change in Sum and Time (if any) will be submitted for inclusion in a final Change Order adjusting the Contract Sum and/or Time.

DEFINITION: Provide all labor, materials, equipment, and service needed to replace existing bleachers with new 4 row unit.

NOTE: The previous CCA version had been based on a 5 row configuration. This proposal has been revised to reflect pricing based on a 4 row unit.

ATTACHMENTS:
 Included

FINAL

The following information is provided by GILBANE BUILDING COMPANY.

Method of determining change in Contract:

☐ Guaranteed Maximum Price ☐ Cost Plus Fee ☐ Unit Price ☒ Lump Sum ☐ Other

Change In Contract Sum	
Dollar Amount:	24,378.00
<input type="checkbox"/> Fixed	<input type="checkbox"/> Maximum
<input checked="" type="checkbox"/> Estimated	<input type="checkbox"/> Time and Material

Change In Contract time	
Time(Days):	0
<input type="checkbox"/> Fixed	<input type="checkbox"/> Maximum
<input checked="" type="checkbox"/> Estimated	

CR No.	Description	Cost Code	Contractor	Dollar Amount
310065	Demolition	10202000	Allan Industries Inc	2,526.00
	Equipment	11111100	CB Seating	16,750.00
	Fee	99999900	Gilbane	1,542.00
			CR # 310065 Total	20,818.00
			CCA Total	20,818.00

**GILBANE BUILDING COMPANY
CONSTRUCTION CHANGE AUTHORIZATION**

Owner: 244 7.082 Date: 4/24/06

City of Manchester Dept of Public Works

Company: Kevin M. Foley Date: 4/20/06
GILBANE BUILDING COMPANY

Distribution:

Owner
CR File

CCA File

GILBANE BUILDING COMPANY
Other

GILBANE BUILDING COMPANY

CONSTRUCTION CHANGE AUTHORIZATION

PROJECT NAME: Beech Street Elementary School
OWNER: City of Manchester Dept of Public Works
ADDRESS: 227 Maple Street
 Manchester, NH 03103

School Facilities
 Improvement Project

APR 05 2006

Received
 Program Management

PROJECT NO: 113387310
CCA NO: 310080R
DATE OF ISSUANCE: 4/05/06
ORIGINATOR: GILBANE
 BUILDING
 COMPANY

ARCHITECT: Lavallee/Brensinger Architects

In order to expedite the work and avoid delays in the Work which will affect Contract Sum and/or Contract Time, the Contract Documents are hereby amended to include the additional Work described below, which is beyond the current scope of the Work.

Upon Owner approval, GILBANE BUILDING COMPANY will proceed with the Work promptly.

Costs as incurred are in addition to the current contract Sum and will be invoiced and paid on a monthly basis and identified as separate items within the requisition. Final cost of the Work involved and change in Sum and Time (if any) will be submitted for inclusion in a final Change Order adjusting the Contract Sum and/or Time.

DEFINITION: Provide all labor, materials, equipment, and service needed to furnish and install rubber treads and landings at 4 stairs. Work also includes vinyl base at stairs. NOTE: THIS CCA HAS BEEN REVISED TO REFLECT REPLACEMENT OF PROTRUDING SCREW HEADS AT THE VERTICAL LEG OF EXISTING NOSINGS WITH COUNTERSUNK FLATHEAD SCREWS.

ATTACHMENTS:

The following information is provided by GILBANE BUILDING COMPANY.

Method of determining change in Contract:

☐ Guaranteed Maximum Price ☐ Cost Plus Fee ☐ Unit Price ☒ Lump Sum ☐ Other

RECEIVED
 FINAL
 APR 20 2006

GILBANE JOB
 NO. 3387

Change In Contract Sum	
Dollar Amount: 25,172.00	
<input type="checkbox"/> Fixed	<input type="checkbox"/> Maximum
<input checked="" type="checkbox"/> Estimated	<input type="checkbox"/> Time and Material

Change In Contract time	
Time(Days): 0	
<input type="checkbox"/> Fixed	<input type="checkbox"/> Maximum
<input checked="" type="checkbox"/> Estimated	

CR No.	Description	Cost Code	Contractor	Dollar Amount
310080	threshold @ str S02	10808700	HCI/Craftsmen	150.00
	flathead screws	10909000	Allan Industries Inc	745.00
	Resilient Flooring	10909300	Merrimac Tile Company Inc	21,012.00
	vinyl base material	10909300	Merrimac Tile Company Inc	300.00
	Paint touch-up	10909900	Gray FA Inc	675.00
	Dumpsters	33717650	MA Waste Systems, LLC.	425.00
	Fee	99999900	Gilbane	1,865.00
			CR # 310080 Total	25,172.00
			CCA Total	25,172.00

Approved

K

GILBANE BUILDING COMPANY CONSTRUCTION CHANGE AUTHORIZATION

Owner: *[Signature]* Date: 4-20-06
City of Manchester Dept of Public Works

Company: *[Signature]* Date: 4-5-06
GILBANE BUILDING COMPANY

Distribution:

Owner
CR File

CCA File

GILBANE BUILDING COMPANY
Other

GILBANE BUILDING COMPANY

CONSTRUCTION CHANGE AUTHORIZATION

BAKERSVILLE CHIMNEY

K

PROJECT NAME: Bakersville Elementary School
OWNER: City of Manchester Dept of Public Works
ADDRESS: 227 Maple Street
Manchester, NH 03103

School Facilities
Improvement Project

APR 04 2006

Received
Program Management
Office

PROJECT NO: 113387340
CCA NO: 340051
DATE OF ISSUANCE: 3/31/06
ORIGINATOR: GILBANE BUILDING COMPANY

ARCHITECT: Lavallee/Brensinger Architects

In order to expedite the work and avoid delays in the Work which will affect Contract Sum and/or Contract Time, the Contract Documents are hereby amended to include the additional Work described below, which is beyond the current scope of the Work.

Upon Owner approval, GILBANE BUILDING COMPANY will proceed with the Work promptly.

Costs as incurred are in addition to the current contract Sum and will be invoiced and paid on a monthly basis and identified as separate items within the requisition. Final cost of the Work involved and change in Sum and Time (if any) will be submitted for inclusion in a final Change Order adjusting the Contract Sum and/or Time.

DEFINITION:

The only scope of work calls for the entire chimney at Bakersville to be rebuilt. CR 340051 changes this scope so that only the top section of the chimney, from the top down to the first precast band just above the roof line, is to be replaced. The remainder of the chimney is to be repointed. CR 340051 is a credit for the difference between replacing and repointing the bottom portion of the chimney. This change is at the direction of DMJM Bulletin No. 00006.

ATTACHMENTS:
- DMJM Bulletin No. 00006 dated 8/26/05
- Northeast Masonry Change Proposal dated 3/30/06

RECEIVED
FINAL
APR 20 2006

GILBANE JOB
NO. 3387

The following information is provided by GILBANE BUILDING COMPANY.

Method of determining change in Contract:

☐ Guaranteed Maximum Price ☐ Cost Plus Fee ☐ Unit Price ☒ Lump Sum ☐ Other

Change In Contract Sum	
Dollar Amount: 32,251.00-	
<input checked="" type="checkbox"/> Fixed	<input type="checkbox"/> Maximum
<input type="checkbox"/> Estimated	<input type="checkbox"/> Time and Material

Change In Contract time	
Time(Days): 0	
<input checked="" type="checkbox"/> Fixed	<input type="checkbox"/> Maximum
<input type="checkbox"/> Estimated	

CR No.	Description	Cost Code	Contractor	Dollar Amount
340051	Masonry	10404000	Northeast Masonry Corp	32,251.00-
			CR # 340051 Total	32,251.00-
			CCA Total	32,251.00-

GILBANE BUILDING COMPANY
CONSTRUCTION CHANGE AUTHORIZATION

Owner: John J. Goff Date: 04/20/06
City of Manchester Dept of Public Works
Company: Rene J. Pincince Date: 4/3/06
GILBANE BUILDING COMPANY

Distribution:

Owner
CR File

CCA File

GILBANE BUILDING COMPANY
Other

GILBANE BUILDING COMPANY CONSTRUCTION CHANGE AUTHORIZATION

PROJECT NAME: Hallsville Elementary School
OWNER: City of Manchester Dept of Public Works
ADDRESS: 227 Maple Street
Manchester, NH 03103

PROJECT NO: 113387410
CCA NO: 410092R
DATE OF ISSUANCE: 4/10/06
ORIGINATOR: GILBANE
BUILDING
COMPANY

ARCHITECT: Lavallee/Brensinger Architects

Received
Program Management
Office

In order to expedite the work and avoid delays in the Work which will affect Contract Sum and/or Contract Time, the Contract Documents are hereby amended to include the additional Work described below, which is beyond the current scope of the Work.

Upon Owner approval, GILBANE BUILDING COMPANY will proceed with the Work promptly.

Costs as incurred are in addition to the current contract Sum and will be invoiced and paid on a monthly basis and identified as separate items within the requisition. Final cost of the Work involved and change in Sum and Time (if any) will be submitted for inclusion in a final Change Order adjusting the Contract Sum and/or Time.

DEFINITION: Provide all labor, materials, equipment, and service needed to increase existing light levels at the 1st floor court area. refer to attached sketch for proposed layout of sketches.

PAINTING OF ELECTRICAL CONDUIT INCLUDED.

NOTE: THIS PROPOSAL (CCA) HAS BEEN REVISED TO REFLECT THE ADDED COST ASSOCIATED WITH THE 8TH LIGHT FIXTURE (ADDED FOR THE GUIDANCE AREA).

ATTACHMENTS:

Revised quote from Consolidated Electrical Service (CES).

FINAL

The following information is provided by GILBANE BUILDING COMPANY.

Method of determining change in Contract:

☐ Guaranteed Maximum Price ☐ Cost Plus Fee ☐ Unit Price ☒ Lump Sum ☐ Other

Change In Contract Sum	
Dollar Amount: .00	
<input type="checkbox"/> Fixed	<input type="checkbox"/> Maximum
<input checked="" type="checkbox"/> Estimated	<input type="checkbox"/> Time and Material

Change In Contract time	
Time(Days): 0	
<input type="checkbox"/> Fixed	<input type="checkbox"/> Maximum
<input checked="" type="checkbox"/> Estimated	

CR No.	Description	Cost Code	Contractor	Dollar Amount
410092	Painting	10909900	King Painting Inc	690.00
	Electrical	11616000	Consolidated Electrical Services	3,644.00
	Owner's Allowance	96099800	Gilbane	4,334.00-
			CR # 410092 Total	.00
			CCA Total	.00

RECEIVED

APR 20 2006

GILBANE JOB
NO. 3387

approved

K

GILBANE BUILD IG COMPANY CONSTRUCTION CHANGE AUTHORIZATION

Owner: W.D. C. G. L. T. Date: 04/20/06
City of Manchester Dept of Public Works

Company: Ken Foley Date: 4/12/06
GILBANE BUILDING COMPANY

Distribution:	Owner		GILBANE BUILDING COMPANY
	CR File	CCA File	Other

CHANGE ORDER



CONTRACT FOR: Manchester City-Wide School
OWNER: City of Manchester Dept of Public Works
ADDRESS: 227 Maple Street
 Manchester, NH 03103

Manchester Public
 School Facilities
 Improvement Project

PROJECT NUMBER: 113387000
CHANGE ORDER NO: 24
DATE OF ISSUANCE: 04/26/06
SUBMITTED BY: Gilbane
CONTRACT DATED: 06/21/06

ARCHITECT: Lavalley/Brensinger Architects

JUN 21 2006

The Contract changes as follows:

Received
 Program Management
 Office

CCA/COR Number	Change Request	Change Request Description	Amount
110444	110444	Additional Health Office Door – Central High School	2,813.00
110449	110449	Replace Three Hollow Metal Door Frames In The Industrial Arts Building – Central High School	4,617.00
110479	110479	Demolish Existing Walls of Existing Staff Toilet Room of James Building – Central High School	5,338.00
110528	110528	Provide New Sink In The Health Office Per DMJM Bulletin No. 00039 – Central High School	2,862.00
220112	220112	Eliminate Rubber Flooring & Treads For Stairs At Room M1A and Room M2 – Parkside Middle School	-983.00
410091R	410091R	Repair Sub-Floor At Admin./Reception Area & Replace Existing VCT – Hallsville Elementary School	1,466.00
500028	500028	Delete Boiler Room Door Core Replacement per DMJM Bulletin No. 00005 – Manchester School Of Technology	0.00

Signature of the Owner indicates agreement herewith, including any adjustment in the Contract Sum or the Contract Time

The original Guaranteed Maximum Price was	94,900,200.00
Net change by previously authorized and submitted Change Orders	2,135,318.76
Guaranteed Maximum Price prior to this Change Order	97,035,518.76
Guaranteed Maximum Price will be increased by this Change Order	16,113.00
The new Guaranteed Maximum Price including this Change Order will be	97,051,631.76
The Contract Time For Phase I Schools will be unchanged by	0 days
The Contract Time For Phase II Schools will be unchanged by	0 days
The date of Substantial Completion for Phase I School construction as of the date of this Change Order therefore is	08/28/05
The date of Substantial Completion for Phase II School construction as of the date of this Change Order therefore is	08/28/06

Owner:

Date:

City of Manchester Dept. of Highways

Manchester P.S. GP, LLC:

Rene J. Proulx

Date:

6/21/06

Distribution:

Owner
CR File

Gilbane
CO File

Other

GILBANE BUILDING COMPANY

CONSTRUCTION CHANGE AUTHORIZATION

PROJECT NAME: Central High School
OWNER: City of Manchester Dept of Public Works
ADDRESS: 227 Maple Street
 Manchester, NH 03103

Manchester Public
 School Facilities
 Improvement Project

PROJECT NO: 113387110
CCA NO: 110444
DATE OF ISSUANCE: 4/19/06
ORIGINATOR: GILBANE
 BUILDING
 COMPANY

APR 20 2006

ARCHITECT: Lavallee/Brensinger Architects

Received
 Program Management
 Office

In order to expedite the work and avoid delays in the Work which will affect Contract Sum and/or Contract Time, the Contract Documents are hereby amended to include the additional Work described below, which is beyond the current scope of the Work.

Upon Owner approval, GILBANE BUILDING COMPANY will proceed with the Work promptly.

Costs as incurred are in addition to the current contract Sum and will be invoiced and paid on a monthly basis and identified as separate items within the requisition. Final cost of the Work involved and change in Sum and Time (if any) will be submitted for inclusion in a final Change Order adjusting the Contract Sum and/or Time.

DEFINITION:

This Construction Change Authorization is for the addition of a door in the Health Office in the addition at Central HS, as described in DMJM Bulletin No. 00027, dated 19-JAN-05.

ATTACHMENTS:

CRP pricing
 HCI pricing
 Kel-Rick pricing
 King pricing
 initial CCA with DMJM bulletin

RECEIVED

MAY 17 2006

GILBANE JOB
 NO. 3387

The following information is provided by GILBANE BUILDING COMPANY.

Method of determining change in Contract:

☒ Guaranteed Maximum Price ☐ Cost Plus Fee ☐ Unit Price ☐ Lump Sum ☐ Other

Change In Contract Sum

Dollar Amount: 2,813.00

☒ Fixed ☐ Maximum
☐ Estimated ☐ Time and Material

Change In Contract time

Time(Days): 0

☐ Fixed ☐ Maximum
☒ Estimated

CR No.	Description	Cost Code	Contractor	Dollar Amount
110444	CCD 110444 HCI 16FEB05	20808700	HCI/Craftsmen	895.00
	CCD 110444 KR 16FEB05	20909250	Kel-Rick Construction Management Inc	1,600.00
	CCD 110444 C&A 16FEB05	20909600	C&A Floorcoverings Inc	110.00
	CCD 110444 KP 16FEB05	20909900	King Painting Inc	.00
	Fee	99999900	Gilbane	208.00
			CR # 110444 Total	2,813.00
			CCA Total	2,813.00

K
GILBANE BUILDING COMPANY
CONSTRUCTION CHANGE AUTHORIZATION

Owner:

Telly J. C. [Signature]
City of Manchester Dept of Public Works

Date: 5/17/06

Company:

[Signature]
GILBANE BUILDING COMPANY

Date: 4/19/06

Distribution:

Owner
CR File

CCA File

GILBANE BUILDING COMPANY
Other

GILBANE BUILDING COMPANY CONSTRUCTION CHANGE AUTHORIZATION

PROJECT NAME: Central High School
OWNER: City of Manchester Dept of Public Works
ADDRESS: 227 Maple Street
Manchester, NH 03103

Manchester Public
School Facilities
Improvement Project

PROJECT NO: 113387110
CCA NO: 110449
DATE OF ISSUANCE: 4/19/06
ORIGINATOR: GILBANE
BUILDING
COMPANY

APR 20 2006

ARCHITECT: Lavallee/Brensinger Architects

Received
Program Management

In order to expedite the work and avoid delays in the Work which will affect Contract Sum and/or Contract Time, the Contract Documents are hereby amended to include the additional Work described below, which is beyond the current scope of the Work.

Upon Owner approval, GILBANE BUILDING COMPANY will proceed with the Work promptly.

Costs as incurred are in addition to the current contract Sum and will be invoiced and paid on a monthly basis and identified as separate items within the requisition. Final cost of the Work involved and change in Sum and Time (if any) will be submitted for inclusion in a final Change Order adjusting the Contract Sum and/or Time.

DEFINITION:

This Construction Change Authorization is to replace three (3) existing hollow metal door frames in the Industrial Arts Building at Central HS. The current condition of these three door frames prohibits their doors from opening, and would negate the functionality of the door replacements currently in the scope of work of this contract. Specifically, these doors are the exterior doors from Rooms T1, T9, and T2D.

ATTACHMENTS:

King pricing
ENN pricing
HCI pricing
Initial CCA

FINISHED

JUN 09 2006

GILBANE JOB
NO. 3387

The following information is provided by GILBANE BUILDING COMPANY.

Method of determining change in Contract:

☒ Guaranteed Maximum Price ☐ Cost Plus Fee ☐ Unit Price ☐ Lump Sum ☐ Other

Change In Contract Sum	
Dollar Amount:	4,617.00
<input checked="" type="checkbox"/> Fixed	<input type="checkbox"/> Maximum
<input type="checkbox"/> Estimated	<input type="checkbox"/> Time and Material

Change In Contract time	
Time(Days):	0
<input type="checkbox"/> Fixed	<input type="checkbox"/> Maximum
<input checked="" type="checkbox"/> Estimated	

CR No.	Description	Cost Code	Contractor	Dollar Amount
110449	CCD 110449 ENN 16FEB05	10202000	Essex Newbury North Contracting Corp	2,200.00
	CCD 110449 HCI 16FEB05	10808700	HCI/Craftsmen	1,935.00
	CCD 110449 KP 16FEB05	10909900	King Painting Inc	140.00
	Fee	99999900	Gilbane	342.00
			CR # 110449 Total	4,617.00
			CCA Total	4,617.00

Owner: 247-C 800 Date: 06/02/06
City of Manchester Dept of Public Works
Company: Rene J. Poirance Date: 4/19/06
GILBANE BUILDING COMPANY

Distribution:

Owner
CR File

CCA File

GILBANE BUILDING COMPANY
Other

GILBANE BUILDING COMPANY CONSTRUCTION CHANGE AUTHORIZATION

PROJECT NAME: Central High School
OWNER: City of Manchester Dept of Public Works
ADDRESS: 227 Maple Street
Manchester, NH 03103

PROJECT NO: 113387110
CCA NO: 110479
DATE OF ISSUANCE: 4/20/06
ORIGINATOR: GILBANE
BUILDING
COMPANY

ARCHITECT: Lavallee/Brensinger Architects

In order to expedite the work and avoid delays in the Work which will affect Contract Sum and/or Contract Time, the Contract Documents are hereby amended to include the additional Work described below, which is beyond the current scope of the Work.

Upon Owner approval, GILBANE BUILDING COMPANY will proceed with the Work promptly.

Costs as incurred are in addition to the current contract Sum and will be invoiced and paid on a monthly basis and identified as separate items within the requisition. Final cost of the Work involved and change in Sum and Time (if any) will be submitted for inclusion in a final Change Order adjusting the Contract Sum and/or Time.

DEFINITION:

Demolish the existing walls for the existing staff toilet room in the James Building renovations at Central HS, due to the existence of mold. Rebuild wall, and rework wiring as required.

ATTACHMENTS:

ENN pricing
IES pricing
KelRick pricing
Gilbane 3/24/05 email
DMJM 3/18/05 email

RECEIVED
APR 19 2006
GILBANE JOB
NO. 3387

The following information is provided by GILBANE BUILDING COMPANY.

Method of determining change in Contract:

☒ Guaranteed Maximum Price ☐ Cost Plus Fee ☐ Unit Price ☐ Lump Sum ☐ Other

Change In Contract Sum	
Dollar Amount: 5,338.00	
<input checked="" type="checkbox"/> Fixed	<input type="checkbox"/> Maximum
<input type="checkbox"/> Estimated	<input type="checkbox"/> Time and Material

Change In Contract time	
Time(Days): 0	
<input type="checkbox"/> Fixed	<input type="checkbox"/> Maximum
<input checked="" type="checkbox"/> Estimated	

CR No.	Description	Cost Code	Contractor	Dollar Amount
110479	Demolition-Reno	10202000	Essex Newbury North Contracting Corp	2,600.00
	KR 8274 15-APR-05	10909250	Kel-Rick Construction Management Inc	1,982.00
	Electrical-Reno	11616000	Interstate Electrical Services Corp	361.00
	Fee	99999900	Gilbane	395.00
			CR # 110479 Total	5,338.00
			CCA Total	5,338.00

GILBANE BUILDING COMPANY
CONSTRUCTION CHANGE AUTHORIZATION

Owner:

City of Manchester Dept of Public Works

Date:

06/09/06

Company:

GILBANE BUILDING COMPANY

Date:

4/20/06

Distribution:

Owner
CR File

CCA File

GILBANE BUILDING COMPANY
Other

GILBANE BUILDING COMPANY CONSTRUCTION CHANGE AUTHORIZATION

PROJECT NAME: Central High School
OWNER: City of Manchester Dept of Public Works
ADDRESS: 227 Maple Street
Manchester, NH 03103

School Facilities
Improvement Project

APR 20 2006

PROJECT NO: 113387110
CCA NO: 110528
DATE OF ISSUANCE: 4/20/06
ORIGINATOR: GILBANE
BUILDING
COMPANY

Received
Program Management

ARCHITECT: Lavallee/Brensinger Architects

In order to expedite the work and avoid delays in the Work which will affect Contract Sum and/or Contract Time, the Contract Documents are hereby amended to include the additional Work described below, which is beyond the current scope of the Work.

Upon Owner approval, GILBANE BUILDING COMPANY will proceed with the Work promptly.

Costs as incurred are in addition to the current contract Sum and will be invoiced and paid on a monthly basis and identified as separate items within the requisition. Final cost of the Work involved and change in Sum and Time (if any) will be submitted for inclusion in a final Change Order adjusting the Contract Sum and/or Time.

DEFINITION:

This Construction Change Authorization is to provide a new sink the Health Office in the addition at Central HS per DMJM Bulletin No. 00039.

ATTACHMENTS:

KelRick pricing
YBCo pricing
King email
Initial CCA

FINAL

The following information is provided by GILBANE BUILDING COMPANY.

Method of determining change in Contract:

☒ Guaranteed Maximum Price ☐ Cost Plus Fee ☐ Unit Price ☐ Lump Sum ☐ Other

Change In Contract Sum

Dollar Amount: 2,862.00

☒ Fixed ☐ Maximum
☐ Estimated ☐ Time and Material

Change In Contract time

Time(Days): 0

☐ Fixed ☐ Maximum
☒ Estimated

CR No.	Description	Cost Code	Contractor	Dollar Amount
110528	CCD 110528 KR 13JUL05	20909250	Kel-Rick Construction Management Inc	400.00
	CCD 110528 KP 13JUL05	20909900	King Painting Inc	.00
	CCD 110528 YBC 13JUL05	21515000	Youngblood Co Inc	2,250.00
	Fee	99999900	Gilbane	212.00
			CR # 110528 Total	2,862.00
			CCA Total	2,862.00

RECEIVED

MAY 03 2006

GILBANE JOB
NO. 3387

GILBANE BUILDING COMPANY CONSTRUCTION CHANGE AUTHORIZATION

Owner:

744 J. C. Jett
City of Manchester Dept of Public Works

Date:

05/03/06

Company:

Rene J. Pincince
GILBANE BUILDING COMPANY

Date:

4/20/06

Distribution:

Owner
CR File

CCA File

GILBANE BUILDING COMPANY
Other

GILBANE BUILDING COMPANY CONSTRUCTION CHANGE AUTHORIZATION

PROJECT NAME: Parkside Middle School
OWNER: City of Manchester Dept of Public Works
ADDRESS: 227 Maple Street
 Manchester, NH 03103

School Facilities
 Improvement Project

FEB 14 2006

Received
 Program Management

PROJECT NO: 113387220
CCA NO: 220112
DATE OF ISSUANCE: 2/14/06
ORIGINATOR: GILBANE
 BUILDING
 COMPANY

ARCHITECT: Lavallee/Brensinger Architects

In order to expedite the work and avoid delays in the Work which will affect Contract Sum and/or Contract Time, the Contract Documents are hereby amended to include the additional Work described below, which is beyond the current scope of the Work.

Upon Owner approval, GILBANE BUILDING COMPANY will proceed with the Work promptly.

Costs as incurred are in addition to the current contract Sum and will be invoiced and paid on a monthly basis and identified as separate items within the requisition. Final cost of the Work involved and change in Sum and Time (if any) will be submitted for inclusion in a final Change Order adjusting the Contract Sum and/or Time.

DEFINITION: Provide a credit for eliminating rubber flooring and treads for stairs at two locations: Room M1A and Room M2.

ATTACHMENTS:
 Gilbane estimate sheet.

FINAL

The following information is provided by GILBANE BUILDING COMPANY.

Method of determining change in Contract:

☐ Guaranteed Maximum Price ☐ Cost Plus Fee ☐ Unit Price ☒ Lump Sum ☐ Other

Change In Contract Sum	
Dollar Amount:	983.00-
<input type="checkbox"/> Fixed	<input type="checkbox"/> Maximum
<input checked="" type="checkbox"/> Estimated	<input type="checkbox"/> Time and Material

Change In Contract time	
Time(Days):	0
<input type="checkbox"/> Fixed	<input type="checkbox"/> Maximum
<input checked="" type="checkbox"/> Estimated	

CR No.	Description	Cost Code	Contractor	Dollar Amount
220112	Stair behind M1 boil	10909600	Allegheny Contract Flooring	473.00-
	Stair @ M2 boiler rm	10909600	Gilbane Building Company	472.00-
	Fee	99999900	Gilbane	38.00-
			CR # 220112 Total	983.00-
			CCA Total	983.00-

RECEIVED

FEB 15 2006

**GILBANE JOB
 NO. 3387**

GILBANE BUILDING COMPANY CONSTRUCTION CHANGE AUTHORIZATION

Owner: City of Manchester Date: 02/15/06
City of Manchester Dept of Public Works

Company: Ken Fala Date: 2/14/06
GILBANE BUILDING COMPANY

Distribution:

Owner
CR File

CCA File

GILBANE BUILDING COMPANY
Other

GILBANE BUILDING COMPANY CONSTRUCTION CHANGE AUTHORIZATION

PROJECT NAME: Hallsville Elementary School
OWNER: City of Manchester Dept of Public Works
ADDRESS: 227 Maple Street
Manchester, NH 03103

School Facilities
Improvement Project

PROJECT NO: 113387410
CCA NO: 410091R
DATE OF ISSUANCE: 5/12/06
ORIGINATOR: GILBANE
BUILDING
COMPANY

MAY 12 2006

Received
Program Management

ARCHITECT: Lavallee/Brensinger Architects

In order to expedite the work and avoid delays in the Work which will affect Contract Sum and/or Contract Time, the Contract Documents are hereby amended to include the additional Work described below, which is beyond the current scope of the Work.

Upon Owner approval, GILBANE BUILDING COMPANY will proceed with the Work promptly.

Costs as incurred are in addition to the current contract Sum and will be invoiced and paid on a monthly basis and identified as separate items within the requisition. Final cost of the Work involved and change in Sum and Time (if any) will be submitted for inclusion in a final Change Order adjusting the Contract Sum and/or Time.

DEFINITION: Provide all labor, materials, equipment, and service needed to repair sub-floor at admin. / reception area and replace existing vct / base upon completion of sub-floor work. The costs enumerated below reflect the final accounting of this change.

ATTACHMENTS:
Gilbane summary sheet with A + E cost summary.

FINAL

The following information is provided by GILBANE BUILDING COMPANY.

Method of determining change in Contract:

☐ Guaranteed Maximum Price ☐ Cost Plus Fee ☐ Unit Price ☒ Lump Sum ☐ Other

Change In Contract Sum	
Dollar Amount:	1,466.00
<input type="checkbox"/> Fixed	<input type="checkbox"/> Maximum
<input checked="" type="checkbox"/> Estimated	<input type="checkbox"/> Time and Material

Change In Contract time	
Time(Days):	0
<input type="checkbox"/> Fixed	<input type="checkbox"/> Maximum
<input checked="" type="checkbox"/> Estimated	

CR No.	Description	Cost Code	Contractor	Dollar Amount
410091	demo + subfl work	10909000	Harvey Francis & Sons Inc	823.00
	Resilient Flooring	10909600	A&E Flooring Inc	534.00
	Fee	99999900	Gilbane	109.00
			CR # 410091 Total	1,466.00
			CCA Total	1,466.00

RECEIVED

MAY 17 2006

GILBANE JOB
NO. 3387

GILBANE BUILDING COMPANY

CONSTRUCTION CHANGE AUTHORIZATION

Owner: John J. O'Gara Date: 5/17/06
City of Manchester Dept of Public Works
Company: Ken Galy Date: 5/12/06
GILBANE BUILDING COMPANY

Distribution:

Owner
CR File

CCA File

GILBANE BUILDING COMPANY
Other

GILBANE BUILDING COMPANY CONSTRUCTION CHANGE AUTHORIZATION

PROJECT NAME: Manchester Schl of Technology
OWNER: City of Manchester Dept of Public Works
ADDRESS: 227 Maple Street
Manchester, NH 03103

ARCHITECT: Lavallee/Brensinger Architects

Manchester Public
School Facilities
Improvement Project

MAY 31 2006

Received
Program Management

PROJECT NO: 113387500
CCA NO: 500028
DATE OF ISSUANCE: 5/30/06
ORIGINATOR: GILBANE
BUILDING
COMPANY

In order to expedite the work and avoid delays in the Work which will affect Contract Sum and/or Contract Time, the Contract Documents are hereby amended to include the additional Work described below, which is beyond the current scope of the Work.

Upon Owner approval, GILBANE BUILDING COMPANY will proceed with the Work promptly.

Costs as incurred are in addition to the current contract Sum and will be invoiced and paid on a monthly basis and identified as separate items within the requisition. Final cost of the Work involved and change in Sum and Time (if any) will be submitted for inclusion in a final Change Order adjusting the Contract Sum and/or Time.

DEFINITION:

CR 500028 is a credit to the City for the deletion of the Boiler Room door core replacement from the Scope of Work for the Manchester School of Technology as directed in DMJM MST Bulletin No. 00005.

ATTACHMENTS:

- DMJM Manchester School of Technology Bulletin No. 00005 dated 5/30/06
- DMJM/Gilbane email, Subject: Re: Boiler Room Door, dated 5/26/06

RECEIVED
FINANCED
JUN 09 2006
GILBANE JOB
NO. 3387

The following information is provided by GILBANE BUILDING COMPANY.

Method of determining change in Contract:

☐ Guaranteed Maximum Price ☐ Cost Plus Fee ☐ Unit Price ☒ Lump Sum ☐ Other

Change In Contract Sum	
Dollar Amount: .00	
<input checked="" type="checkbox"/> Fixed	<input type="checkbox"/> Maximum
<input type="checkbox"/> Estimated	<input type="checkbox"/> Time and Material

Change In Contract time	
Time(Days): 0	
<input checked="" type="checkbox"/> Fixed	<input type="checkbox"/> Maximum
<input type="checkbox"/> Estimated	

CR No.	Description	Cost Code	Contractor	Dollar Amount
500028	Doors, Frames, Hardware	10808700	HCI/Craftsmen	167.00-
	Owner's Allowance	96099800	Gilbane	167.00
			CR # 500028 Total	.00
			CCA Total	.00

GILBANE BUILDING COMPANY CONSTRUCTION CHANGE AUTHORIZATION

Owner:

John D. Goff
City of Manchester Dept of Public Works

Date:

6/9/06

Company:

Rene J. Pincus
GILBANE BUILDING COMPANY

Date:

5/31/06

Distribution:

Owner
CR File

CCA File

GILBANE BUILDING COMPANY
Other

8

City of Manchester

Nominated 05/16/2006



Office of the Mayor
Hon. Frank C. Guinta

May 16, 2006

The Honorable Board of Mayor & Aldermen
One City Hall Plaza
Manchester, NH 03101

Dear Members of the Honorable Board:

Pursuant to Section 3.14 (b) of the City Charter, please find below the following nominations:

- ending receipt of (1) Gerard L Thibodeau to succeed Jen Drociak as a member of the
resume Conservation Commission, term to expire August 1, 2006;
- onfirmed 06/06/2006 (2) Celia Phillips to succeed Jessica Kinsey as a member of the Arts
Commission, term to expire December 1, 2007;
- onfirmed 06/06/2006 (3) Omer Beaudoin to succeed Sean Toomey as the labor representative
member of the Fire Commission, term to expire May 1, 2009;
- onfirmed 06/06/2006 (4) Peter Favreau to succeed himself as a member of the Fire Commission,
term to expire May 1, 2009;
- onfirmed 06/06/2006 (5) Michael J Landry as an alternate member of the Planning Board, term to
expire May 1, 2007.

These nominations will layover to the next meeting of the Board pursuant to Rule 20 of the Board of Mayor & Aldermen. Your consideration of these nominees is appreciated in advance.

Sincerely,

Frank C. Guinta
Mayor

Resume for

Gerard L. Thibodeau
103 Bow Street
Manchester, NH 03103

8

Education:

St. Martin Parochial School
Somersworth High School
UNH, Mechanical Engineering

Work history:

Good economy, Carpenter
Soft economy, Grocery stores

Business:

Finish Carpentry, www.thibco.com
1987 Gerard L. Thibodeau DBA THIBCO to 1989
1989 THIBCO, Inc. to present

Real Estate

1995 Alpheus, LLC to present

Organizations:

NH Wild Life Federation, past director
SCI, Member
NFIB, past vice chair, Leadership council
New Hampshire Business Council, BOD
Chamber of Commerce, Government Affairs Committee
Association of Architectural Millwork Installers, Inc., BOD
Job Creation Alliance, member
Sensible School Funding, member

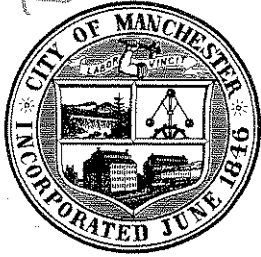
Political ambitions: None, My wife and I have an agreement, if I don't run for public office, she won't divorce me

Interests:

Conservation
Clay shooting
Fishing, cold water, warm water, salt water
Hunting, throughout North America

Personal:

Born: June 15, 1947, Dover, NH, Resided: Somersworth, NH, Relocated: Manchester, NH, 1974 to present.
Marital Status, Spouse, Priscilla J. Turcotte Thibodeau, Children, Christine, 37; Sherrie, 35;
Grandchildren: one grandson, four granddaughters



City of Manchester

Office of the Mayor
Hon. Frank C. Guinta

July 11, 2006

The Honorable Board of Mayor & Aldermen
One City Hall Plaza
Manchester, NH 03101

Dear Members of the Honorable Board:

Pursuant to Section 3.14 (b) of the City Charter, please find below the following nominations:

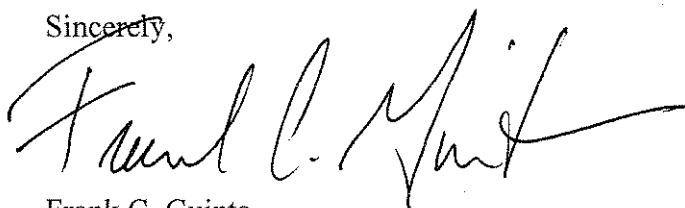
- (1) Kathleen Payne to succeed Dorothy Krasner as a member of the Board of Registrars, term to expire May 1, 2009;
- (2) Derek M. Dufresne to fill a vacancy as an alternate member of the Heritage Commission, term to expire January 1, 2007;
- (3) Stephanie F. McLaughlin to fill a vacancy as an alternate member of the Heritage Commission, term to expire January 1, 2007;
- onfirmed 7/11/06 (4) Karen Roberge to succeed herself as a member of the Planning Board, term to expire May 1, 2009;
- (5) Robert F. Martel to fill a vacancy as a member of the Planning Board, term to expire May 1, 2009;
- onfirmed 7/11/06 (6) Richard Molan to succeed himself as an alternate member of the Planning Board, term to expire May 1, 2009;
- onfirmed 7/11/06 (7) Michael Worsley to succeed himself as a member of the Parks, Recreation & Cemetery, term to expire July 7, 2009;
- (8) Mark Laliberte to succeed Graham J. Chynoweth as a citizen member of the Safety Review Board, term to expire March 15, 2009;
- onfirmed 7/11/06 (9) Phil Hebert to succeed himself as a citizen member of the Safety Review Board, term to expire March 15, 2009;

- ~~Confirmed~~ 7/11/06 (10) Thomas O'Neil to succeed himself as a citizen member of the Safety Review Board, term to expire March 15, 2009;
- (11) Kristin Schmidt, MPAS to succeed Jazmin Miranda-Smith as a member of the Board of Health, term to expire July 1, 2009;
- ~~Confirmed~~ 7/11/06 (12) Sean P. Toomey to succeed himself as a member of the Building Board of Appeals, term to expire January 8, 2009;
- (13) Jay M. Cadorette to fill a vacancy on the Conduct Board, term to expire October 1, 2007;

These nominations will layover to the next meeting of the Board pursuant to Rule 20 of the Board of Mayor & Aldermen. Your consideration of these nominees is appreciated in advance.

I am also appointing State Representative William Infantine to succeed Raymond Buckley as the Mayor's designee to the MCAM Advisory Board. This appointment is effective immediately.

Sincerely,



Frank C. Guinta
Mayor

9

KATHLEEN T. PAYNE
175 ELMHURST AVE.
MANCHESTER, NH 03103-6527
(603) 627-7439
kpayne51@comcast.net

RESUME

Education:

Manchester West High School, Graduated in June 1969
Notre Dame College, Graduated May 1973 with a Bachelor's Degree
in Education.

Attended several Land Use Seminars and Workshops through various
organizations within the state. Have taken several computer courses.

Work Experience:

City of Manchester Building Department. September 1989 to present.
Responsible for scheduling hearings/meetings, abutter research & notifications,
transcribes minutes, prepares legal record for court cases, maintains official
records that have legal standing, addresses concerns and questions from the
public, etc. all for the **Zoning Board of Adjustment**. Cross-trained for other
functions within the Department to assist in the work overload and absences.

Additional Qualifications/Attributes:

Notary Republic
Worked at the polls in the capacity of Deputy Registrar for several years.
Participated in the Mentorship Program at Bakersville School.
Participated in "One Day of Caring" as well as "Adopt a Block".
Little League Team Mother. Soccer Team Mother as well as serving on the
Board of Directors. Past Member of the Manchester Junior Woman's Club.
Volunteered and served on various committees within my Church for over
25 years, which includes the Budget Committee, Sunday School Teacher,
Woman's Union Treasurer and Secretary, Church Cabinet Minister of Mission,
Sunday Usher and Deacon of the Church.

Hobbies/Interest:

Enjoy reading, gardening and canning, taking walks with my dog, hiking,
spectator sports, theater and concerts.

DEREK DUFRESNE

73 Stewart Street, Manchester, NH 03102-4153
(603) 624-4440

OBJECTIVE

To acquire a position that utilizes my acquired skills, education, and life experiences, while being able to continue with my education. I daily challenge myself, always towards the goal of professional and personal growth.

EMPLOYMENT

CITY OF MANCHESTER
Office of Mayor

JAN '06 – Present

Interning, which includes: preparing for various meetings; attendance at various meetings of Board of Mayor and Aldermen; attendance at various City functions; learning how government operates on a local level.

BENEFIT STRATEGIES
967 Elm Street

DEC '05 - PRESENT
Manchester, NH

Data Entry – Enrolling and auditing departments.

SERENDIPITY DAY SPA
Route 106

JUL '05 - OCT '05
Concord, NH

Provided painting and renovation work when Spa purchased and moved to its new location. I continue to work there as needed but not on a regular basis.

JAKE'S SEAFOOD
Route 1

Summers '04 and '05
Moody/Wells, Maine

Service area worker and prep cook. Summer job, full-time, from June until the end of August.

10

SYLVIA COLBURN
Private home

May '03 - Aug '03
Goffstown, NH

Provided landscaping and yard cleanup services.

O.K. OFFICE KLEENING
P.O. Box 844, Manchester, NH 03105

1999 - 2002
623-3272

Performed office cleaning duties at employer's largest account. Worked independently. Hours varied according to my school schedule.

EDUCATION

HIGH SCHOOL DIPLOMA
Trinity High School

1999-2003
Manchester, NH

Member of Student Council (4 years); Senior Leadership Committee (Sr. year); Public Relations Class Officer (2 years); Yard Sale Committee (1 yr); Prom and Fashion Show Committee (1 yr); set designer for Drama Club; and played on Soccer team all 4 years.

ST. ANSELM COLLEGE
Goffstown, NH

CURRENTLY ATTENDING

Majoring in History; with minors in both Public Policy and Medieval Studies

MERRIMACK COLLEGE
NO. ANDOVER, MA

3RD SEMESTER

MAJORED IN HISTORY

UNIVERSITY OF CONNECTICUT
STORRS, CT

1ST AND 2ND SEMESTERS

Majored in History

DISTINCTIONS / SKILLS / PROFESSIONAL ORGANIZATION

- Honor Roll - Senior (H.S.)
- High Honor Rolls (H.S.)
- Coach's Award (H.S.)
- Was volunteer Member of Associated Press
- Was volunteer worker at St. Joseph's Jr. High School
- Volunteer worker at Manchester Food Pantry
- Volunteer Coach at British are Coming Soccer Camp, all 4 years of H.S.
- Assist at St. Anthony's Church for the Ladies of St. Anne's from May 2005 to present, setting up for various functions
- Dean's List – Every Semester of College
- Inducted into History National Honor Society, Phi Alpha Theta, on April 28, 2006 into the Sigma Omega Chapter at St. Anselm College.

10

Stephanie F. McLaughlin

100 W. Merrimack Street; Manchester, NH 03101
617/899-2856 M * stephmclaughlin@yahoo.com

WORK EXPERIENCE

Sheehan Phinney Bass + Green PA

Manchester, NH

Director of Client Development

5/05 - present

Responsible for all internal and external marketing and communications for the third-largest law firm in NH, with 54 attorneys and four offices in two states, including design and placement of advertising; media relations with local and regional press; firm sponsorships; design and production of marketing collateral, among other tasks.

Business NH Magazine

Manchester, NH

Associate Publisher

1/03 - 11/04

Managed all aspects of the day-to-day operations of a statewide business magazine with monthly readership of 53,000. Managed staff of 12 including editorial, sales, production, circulation and events departments. Planned editorial content. Oversaw sales, including setting and meeting monthly projections. Supervised art direction and production. Guided circulation activities including subscription maintenance and expiration. Directed strategic marketing activities. Created and maintained departmental and overall budgets. Adhered to strict deadlines. Anticipated and solved problems.

Freelance Public Relations/Communications Practitioner

1/02 - 3/03

Created and managed public relations campaigns for clients including Canterbury Shaker Village, an outdoor history museum, and Tommy Bahama Offshore Racing, a high-speed powerboat racing team.

Fuse Inc.

Newburyport, MA

Public Relations Manager

12/00 - 1/02

Managed public relations activities for a mid-sized advertising agency including developing proposals and implementing campaigns for clients. Pitched stories to local, national and trade press. Managed media contacts and worked with multi-discipline teams to implement the most effective plans for clients.

New England Medical Center

Boston, MA

Communications Officer

11/99 - 12/00

Wrote, edited and produced weekly internal newsletter, brochures, programs invitations and other internal and external communications pieces; pitched hospital stories to local media; planned, executed and managed hospital events; managed crisis communications with local media; acted as hospital spokesperson.

City of Boston, Mayor's Office

Boston, MA

Policy Analyst

5/95 - 5/99

Managed special projects for Chief of Policy including: * Boston Youth Sports Congress - A multi-departmental initiative which sought to identify and address under-served populations and conditions preventing urban youth from participating in organized sports. * Handgun Liability Legislation - Conducted all background research and national outreach for state legislation, filed by the Mayor.

The Boston Globe

Boston, MA

Editorial Assistant/Writer

1/91 - 4/95

Covered breaking news stories and wrote daily news features as a general assignment reporter for the Metro/Region section. Provided support for three-person City Hall bureau and six-person State House bureau. Covered campaign events in 1993 mayoral and 1994 gubernatorial primary campaigns. Wrote freelance articles for Travel, Food and Living/Arts.

References available upon request

10

Stephanie F. McLaughlin
100 W. Merrimack Street; Manchester, NH 03101
617/899-2856 M * stephmclaughlin@yahoo.com

Resume, Page 2 of 2

EDUCATION

Northeastern University Boston, MA
B.A. June 1995, Magna cum laude. *Major:* Journalism. *Minor:* Political Science.
Study Abroad Program, Ireland and Northern Ireland, September 1993 - March 1994.

AFFILIATIONS/VOLUNTEER WORK

Manchester Young Professionals Network
President 2005 to present
Founding Member 2004 to present

Manchester Historic Association Masquerade Ball event committee
Member 2005

Manchester YWCA Girls' Night Out event committee
Member 2004-2005

Governor's Task Force on After School
Member 2004

Creative Economy Task Force
Member 2004

References available upon request

12

Mark J. Laliberte

74 West Merrimack St.; Unit 2
Manchester, NH 03101-2322

markl@alumni.unh.edu

Cell Phone: (603) 490-4098
Work Phone: (603) 627-8174

EDUCATION

University of New Hampshire (Durham)

May 2004-May 2006

Masters' of Public Administration

Grade Point Average: 3.85

University of New Hampshire (Durham)

Sept. 1994-May 1998

Bachelors' of Arts in Political Science

Member – Pi Sigma Alpha political science honor society (History minor)

EMPLOYMENT HISTORY

SHEEHAN PHINNEY BASS + GREEN

Marketing Specialist

Manchester, N.H.

January 2006-present

Help coordinate marketing programs for 60-attorney law firm. I write all press releases, create ads, coordinate and execute seminars and conferences, develop and place Web site content and many other tasks. In addition, with the marketing partner and the vice president of marketing and client development, I help develop long-term marketing strategies for the firm.

BUSINESS NH MAGAZINE

Associate Editor

Manchester, N.H.

July 2003-December 2005

Wrote and edited feature-length pieces for NH's only statewide business magazine (circulation 15,000). I wrote one-two major features that averaged 2,500 words plus six-eight smaller pieces per month. In addition, I was in charge of public relations for Millyard Publications (parent company of *Business NH Magazine*). Stories have been cited in the business, academic and nonprofit fields.

OFFICE OF THE GOVERNOR

Speech/Correspondence Writer and Constituent Service

Concord, N.H.

January 2003-July 2003

Wrote speeches and talking points for Gov. Benson for both political and nonpolitical events. Wrote all nonpolitical correspondents for governor, including: proclamations, citations, letters from the governor as well as created correspondence opportunities. Wrote occasional press releases as backup for communications contact.

SMOKE-FREE NH ALLIANCE

Communications Director

Bedford, N.H.

Aug. 2001-November 2002

Researched and collected data to inform public and policymakers about tobacco and health access issues. Created and refined message for media campaign to raise tobacco tax and prohibit workplace smoking. Released messages through press releases, press conferences, editorial board visits and op/ed pieces. I was also the organization's spokesperson.

HIPPO PRESS MANCHESTER

News Writer/Copyeditor

Manchester, N.H.

January 2001-Sept. 2001

Award-winning political/business writer for weekly newspaper in Manchester. Covered Manchester politics and business scene and wrote two-three articles a week. Third Place – 2002 NH Press Association Award for Business Story.

12

SEACOAST NEWSPAPERS
Features Editor

Portsmouth, N.H.
May 1999-October 2000

Features editor for four newspapers: A daily and three weeklies (aggregate circulation 30,000). Responsible for features department, which included staff and freelance writers totaling 15. I was in charge of conception, design and desktop publication of three daily, a Sunday and two weekly sections. Also responsible for copyediting, formatting and text rewrites.

EMILE BEAULIEU FOR GOVERNOR
Campaign Manager

Manchester, N.H.
January 1998-September 1998

Ran campaign of N.H. Republican gubernatorial candidate. I was responsible for day-to-day events such as scheduling and volunteer organization. Responsible for all aspects of media: writing press releases, scheduling press conferences, writing speeches and the writing of op-ed pieces. I was the official spokesperson for the campaign.

FREELANCE WORK

Campaign manager for five state senate races (Sept.-Dec. 1998): Created press releases, literature pieces and editorials for candidates. Developed campaign organization and organized volunteers.

Newsletter developer (Dec. 1998-April 1999; 2003): Created for NH Philharmonic Orchestra, Normand & Shaughnessy law firm and Queen City Rotary.

COMPUTER EXPERIENCE

Proficient at Macintosh OS X, Microsoft XP and Linux operating systems; Adobe Creative Suite (PhotoShop, InDesign and Illustrator); Quark Xpress; all components of Microsoft Office (including FrontPage) and proficient at working with HTML.

CIVIC INVOLVEMENT

- Queen City Rotary Club of Manchester (2002-present)
- UNH Alumni Association (2002-present)
- Greater Manchester Chamber of Commerce Downtown Committee (2004-present)
- Manchester Young Professionals Network (original member) (2004-present)
- Manchester Capital Initiative (*Group to bring in more VC/angel investors to Manchester*) (2006-present)
- New Hampshire Small Business Development Center Rebranding committee (2006-present)

Former Boards

- Makin' It Happen executive board (*teen mentoring program*) (2003-2006)

14

Jay M. Cadorette

105 Carroll Street
Manchester, NH 03102
Jaycad7@comcast.net

Education:

Graduate Certification, School Administration 1/2006-present
Rivier College, Nashua, NH 03060

Master of Arts in Education, Counselor Education 5/1998
East Carolina University, Greenville, NC 27858

Bachelor of Arts, Communication 12/1992
University of New Hampshire, Durham, NH 03824

Related Experience:

Managing Partner, Anchorage Appraisal Group, Stratham, NH 10/2003-present
. created successful, profitable, start-up real estate appraisal firm
. managed day to day activities of five real estate appraisers
. delivered timely and professional services to banks, attorneys and brokers

Guidance Counselor, McDonough Elementary School, Manchester, NH 8/2001-9/2003
. provided counseling services to a caseload of over 300 elementary students
. provided leadership to several community and outreach programs

Trainer/Sales Representative, Pella Corporation, Haverhill, MA 8/2000-8/2001
. developed the company's first sales training curriculum
. delivered sales training to newly hired sales representatives

Guidance Counselor, Dover High School, Dover, NH 8/1998-7/2000
. provided personal, academic and career counseling services students
. nominated to serve as board member for TAP community service group
. served as school specialist in serving "at-risk" student population

NC Teaching Fellows Graduate Assistant, Greenville, NC 8/1996-5/1998
. provided academic support and advising to North Carolina Teaching Fellows scholarship students

Teaching Assistant, Timberlane Middle School, Plaistow, NH 9/1995-6/1996
. provided academic support services in a special education classroom

Wrestling Coach, Timberlane Middle School, Plaistow, NH 1992, 1993
. led team to two consecutive state championship seasons

Other Experience:

Petty Officer, United States Coast Guard 2003-present
. currently serving in the United States Coast Guard Reserve

Jay M. Cadorette
105 Carroll Street
Manchester, NH 03102
Jaycad7@comcast.net

Awards and Career Highlights

Academic Awards:

- . 4.0 GPA at East Carolina University, inducted into Chi Sigma Iota Honor Society
- . Deans list honors at the University of New Hampshire
- . Graduate research published and adopted by the State of North Carolina for an inaugural program
- . Undergraduate research on gender communication published by the University of New Hampshire

Professional Awards:

- . Appointed by the Governor of New Hampshire to serve on the state Juvenile Justice Advisory Board
- . Nominated by Dover High School Principal to serve on TAP committee (a community program set-up to distribute federal grant money)
- . CPI (Crisis Prevention Institute), non-violent crisis prevention certification
- . Federal Emergency Management (FEMA) crisis management certification
- . Graduate of Department of Defense Information School (military public affairs)

Athletic Awards:

- . Coached a high school wrestling team to two consecutive New Hampshire State championship seasons
- . Represented New Hampshire at the Junior National Olympics (x2)
- . Served as interscholastic wrestling official in both North Carolina and New Hampshire

Military Awards:

- . National Defense Medal
- . Coast Guard Special Operations Ribbon
- . Coast Guard Merit Team Commendation

References:

Gladly furnished upon request

14



NOMINATED 07/11/2006

CITY OF MANCHESTER Board of Aldermen



MEMORANDUM

To: Board of Mayor and Aldermen

From: Alderman Lopez *WJ*

Date: July 5, 2006

Re: Conduct Board Aldermanic Appointment

Enclosed is information relating to Michael P. Craig of Craig & Gatzoulis. Attorney Craig is a resident of the city who has displayed a sincere interest in our community.

At the July meeting I will nominate Attorney Craig whom I feel is well qualified to fill the vacant aldermanic appointment on the Conduct Board for a term to expire October 1, 2008.

Enclosure

14
CRAIG & GATZOULIS

ATTORNEYS AT LAW

101 Stark Street, Manchester, NH 03101

Michael P. Craig
Arthur G. Gatzoulis
Christopher C. Ahern

(603) 623-1000
Fax (603) 623-9008
www.craigandgatzoulis.com

June 21, 2006

Alderman Mike Lopez
191 Woodbury St.
Manchester, NH 03102

Dear Alderman Lopez,

Thank you for thinking of me for the appointment to the City of Manchester Conduct Board. If approved, I would be honored to serve. Per your request, I have provided a biographical outline.

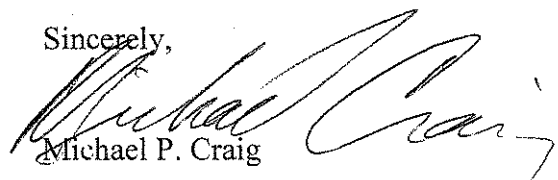
In March of 2003, Arthur Gatzoulis and I started the law firm of Craig and Gatzoulis where we handle criminal defense and personal injury matters. Prior to founding this growing law firm, I was an Assistant County Attorney for over ten years where I prosecuted felony and misdemeanor cases on behalf of the State.

I'm a 1992 graduate of Suffolk University Law School. I graduated Cum Laude and served as an editor on the Suffolk University Law Review. In 1989, I obtained a degree in Business Administration from the University of New Hampshire.

I enjoy serving on the Manchester/William B. Cashin Senior Center Building Fund Committee where I co-chaired the "Senior Stampede" Walk in April of 2006. For the past 10 years I have organized the annual Mock Trial at the New Hampshire Boy's State program put on by the American Legion. Additionally, I have coached soccer and baseball on my kids' teams. My wife and I have three children.

Should you require any further information, please do not hesitate to contact me at my office at 623-1000 or at home at 669-8289. Again, thank you for considering me for this position.

Sincerely,


Michael P. Craig

9-13

RESUME

William J. Infantine

President
Aspen Insurance Agency

Will Infantine has been professionally involved in the Insurance and Surety Bonding industry for 19 years. Infantine, the son of a prominent New Hampshire insurance agency founder, was first introduced to the Insurance Agency System in the early 1970's and decided at an early age to pursue a career in insurance.

Infantine began his career with USF&G as a bond underwriter in Springfield Massachusetts before being promoted and transferred to San Antonio Texas. Infantine first learned the insurance and bonding business from the company side before heading back to New Hampshire. Infantine joined the family owned Infantine Insurance in 1989 and worked along side his father until his death in 1991. Infantine spent a considerable amount of time learning the agency side of the business and became very active in construction related associations.

Subsequent to an ownership change at Infantine Insurance, Will joined USI New England in 1997 and formed both the bond department and construction division. The large national broker experience was extremely valuable and rounded out his education in the three major phases of the insurance system.

Infantine sits on the Board of Directors of Associated Builders and Contractors, Manchester Boys and Girls Club, Manchester Area Home Builders and is involved on a committee basis with the Associated General Contractors. Infantine has been involved in a myriad of other business and civic organizations since relocating to New Hampshire.

Infantine has been involved in local and state politics and was a candidate for State Senate in 2000. Infantine has been elected to two terms as a Representative to the New Hampshire Legislature and currently serves as Vice-Chairman of the Labor Committee.

Infantine established Aspen Insurance Agency in October 2001 by mobilizing a solid team of insurance professionals incorporating youth, experience and a desire to use 21st century technology. Aspen specializes in insurance and bonds for New Hampshire consumers and businesses.

Employment

- | | |
|--------------|---|
| Present | Aspen Insurance Agency- President/ Co-Founder of multi line insurance agency specializing in the fields of construction, manufacturing and small business located in Manchester, NH |
| 1993-Present | Infantine Properties- Founder and President of a NH based real estate holding company |
| 1997-2001 | USI New England- Bond Manager / Producer – Responsible for the creation, implementation and daily operation of the bond department and construction division. |
| 1989-1997 | Infantine Insurance- Stockholder and Producer for multi-line insurance agency. Infantine specialized in Surety Bonding and Insurance for various commercial and construction clients. |
| 1986-1989 | USF&G Insurance Company-Bond Underwriter for construction accounts in Springfield, MA and San Antonio, TX |

Licenses and Professional Designations	<ul style="list-style-type: none"> * New Hampshire Insurance Broker * Successfully complete three of five coursed toward Associated Fidelity Surety Broker (AFSB) 	
Education	<ul style="list-style-type: none"> * St Michael's College. Winooski, VT 1982-1986 BS Business Administration * Queen Mary College. London England 1985 (Semester Abroad) * Milford Area Senior High, Milford, NH 1978-1982 	
Civic and Professional Activities	<ul style="list-style-type: none"> * Manchester Boys and Girls Club Board of Directors 2003-Present * Associated Builders and Contractors (ABC) Board of Directors 1994-Present * Plan NH Board of Directors 2000-2004 * Manchester Area Home Builders Board of Directors 2001-Present * Electrical Contractors Business Association Associate Member 2000-Present * Manchester Visiting Nurses Association Board of Directors 1994-1998 * Pop Warner Football Coach * Souhegan High School Booster Club Former President and Treasurer 	
	<p>MCTV/MCAM Producer and Host of "Manchester Matters" 2001-Present</p>	
	State Representative Ward 6 Manchester	2002-Present
	Vice Chair of Labor Committee	2004-Present
	Workers Compensation Advisory Board	2004-Present





CITY OF MANCHESTER Board of Aldermen



Memo To: Board of Mayor and Aldermen
From: Alderman Long
Date: June 20, 2006
Re: Nomination for Manchester Transit Authority

Enclosed for your consideration is the resume of Carol Ann Williams whose name I am submitting for nomination to the Manchester Transit Authority filling the unexpired term of David Jespersen, term to expire May 2007.

Your favorable consideration of this nomination on July 11th would be appreciated.

Carol Ann Williams

Retired from County of Santa Clara, CA in various positions 1979-1990
 due to paraplegia caused by Multiple Sclerosis
 Relocated to New Hampshire 1993
 Served three terms in the NH House of Representatives 1995-2001
 One in District 39 – Two in District 43 in Manchester, NH

Executive Director for non-profit **NH Regional Action Committees**
 Former Member Board of Director – 8 yrs **GSIL**
 Former Member Advisory Board of **Service Link, Manchester, NH**
 Former Member Board of Trustee - **VNA/Elliott Hospital,**
 Member Board of Directors and Program Producer – **MCAM**
Manchester Community Access Media, Manchester, NH
 Board Member - **NH Center for Independent Living,**
 Former Vice Chair - **State Independent Living Council, NH**
 Former Vice Chair **Access Manchester**
 ADA Consultant - **City of Manchester, NH**
 Previous Owner/Manager private business - **Abilities Now**

Producer of Community Access Television show “Moving Right Along”
 regarding advocacy for people with disabilities

Served as volunteer for children with learning disabilities at Hallsville
 Elementary School, Manchester, NH three mornings a week 2002-2004

Education: Cambridge High and Latin School, Cambridge, MA
 San Jose State University, San Jose, CA - BA Psychology
 NH College, Hookset, NH Certificate Small Bus. Mgmt.
 Personal: Born in Cambridge, MA on Feb 2, 1937 one of 7 children.
 Mother of 4. Grandmother of 5 Great-grandmother of 3
 User of power wheelchair due to Multiple Sclerosis.

21 Bradley St. #4
 Manchester, NH 03103
 Hm.Tel. (603) 622-2565 Cell (603) 674-2864
 Email address – chrusrir@comcast.net

20 + 28 City of Manchester
New Hampshire
In the year Two Thousand and five

AN ORDINANCE

"Amending Sections 33.024, 33.025 & 33.026 (Painter) of the Code of Ordinance of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

SECTION 33.024 CLASSIFICATION OF POSITION be amended as follows:

Establish new classification, Painter

SECTION 33.025 COMPENSATION OF POSITION be amended as follows:

Establish Painter, Grade 13, non-exempt

SECTION 33.026 CLASS SPECIFICATIONS be amended as follows:

Establish new class specification, Class Code 5234, Painter, (See attached).

This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.

DRAFT

20+28



City of Manchester, New Hampshire

Class Specification

This is a class specification and not an individualized job description. A class specification defines the general character and scope of responsibilities of all positions in a job classification, but it is not intended to describe and does not necessarily list every duty for a given position in a classification.

Class Title	Painter
Class Code Number	5234-13

General Statement of Duties

Performs a variety of skilled painting work on city-owned property and equipment; performs directly related work as required.

Distinguishing Features of the Class

The principal function of an employee in this class is to perform various skilled painting work on municipal buildings. The work is performed under the supervision and direction of an assigned supervisor but considerable leeway is granted for the exercise of independent judgement and initiative. The nature of the work performed requires that an employee in this class establish and maintain effective working relationships with other City employees, outside contractors and the public. The principal duties of this class are performed in various indoor and outdoor work areas, with potential personal hazards.

Examples of Essential Work (illustrative only)

- Cleans and prepares materials to be painted by scraping, removing loose putty, filling cracks, removing broken glass;
- Paints the interior and exterior of buildings using brushes, spray guns, paint rollers or other painting tools;
- Repairs walls and ceilings;
- Applies sealant to exterior finishes and removes graffiti, applying chemical solvents as necessary;

- Paints rain gutters, signs and a variety of equipment;
- Varnishes and paints furniture;
- Mixes and matches paints;
- Orders and picks up supplies and other materials;
- Drives vehicles as required to complete tasks, transporting ladders and scaffolding;
- Provides needed information and demonstrations concerning how to perform certain work tasks to new employees in the same or similar class of positions;
- Keeps immediate supervisor and designated others fully and accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems;
- Attends meetings, conferences, workshops and training sessions and reviews publications and audio-visual materials to become and remain current on the principles, practices and new developments in assigned work areas;
- Responds to citizens' questions and comments in a courteous and timely manner;
- Communicates and coordinates regularly with appropriate others to maximize the effectiveness and efficiency of interdepartmental operations and activities;
- Performs other directly related duties consistent with the role and function of the classification.

Required Knowledge, Skills and Abilities (at time of appointment)

- Thorough knowledge paints, varnishes, shellacs, fillers and graffiti removal chemicals;
- Thorough knowledge of methods, techniques, equipment, tools and materials used in painting practices;
- Thorough knowledge of brush and spray painting;
- Good knowledge of wall and ceiling repair;
- Good knowledge of safety practices used in painting and maintenance functions;
- Ability to work from ladders and scaffolding;
- Ability to communicate effectively with others, both orally and in writing, using both technical and non-technical language;
- Ability to understand and follow oral and/or written policies, procedures and instructions;
- Ability to use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions;
- Ability to perform a wide variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines;
- Ability and willingness to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology;
- Integrity, ingenuity and inventiveness in the performance of assigned tasks.

Acceptable Experience and Training

- Graduation from High School or possession of a GED; and
- Three years experience as a professional painter or as a journeyman painter.

20-28

Required Special Qualifications

- Valid New Hampshire's Drivers License;

Essential Physical Abilities

- Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, which permits the employee to communicate effectively;
- Sufficient vision or other powers of observation, with or without reasonable accommodation, which permits the employee to monitor and repair HVAC systems;
- Sufficient manual dexterity with or without reasonable accommodation, which permits the employee to operate hand and power tools;
- Sufficient personal mobility and physical reflexes, with or without reasonable accommodation, which permits the employee to work on and set up staging, ladders or other devices to safely work above ground level and access equipment and to be able to stoop, kneel, crouch, stand, walk, push, climb and grasp repetitively.

Approved by: _____ Date: _____

20-28

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending Section 33.062, Part-Time Employees, of the Code of Ordinances of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

I. Amend Section 33.062, Part-Time Employees, of the Code of Ordinances by deleting language stricken (---) and inserting new language as bolded (**bold**). Language of Section 33.062 not struck through or bolded remains unchanged.

§ 33.062 PART-TIME EMPLOYEES.

(A) Any employee occupying a position designated as FLSA exempt who is regularly employed on a continuing work schedule of less than 40 hours per week shall be compensated by multiplying the base pay rate by the number of regular hours worked per week.

~~(B) An employee occupying a position designated as FLSA non-exempt and who is employed on a part-time basis shall be paid on an hourly basis according to the provision of §33.063 of this subchapter.~~ An employee occupying a position designated as FLSA non-exempt and who is employed on a part-time basis shall be paid on an hourly basis.

(C) A part-time employee may be granted a step increase upon satisfactory completion of 1,040 hours of work. A part-time employee may be granted an additional step increase upon the satisfactory completion of 2,080 hours. Said employee will be eligible for subsequent step increases upon the satisfactory completion of each 2,080 hours of work until said employee reaches the maximum step in the salary grade to which the employee is assigned.

II. This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.

City of Manchester New Hampshire

In the year Two Thousand and Six

20-28

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by adding a new Chapter 54: Storm Water to Title V: Public Works."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

CHAPTER 54: STORM WATER

Section

- 54.01 Purpose
- 54.02 Definitions
- 54.03 Administration
- 54.04 Prohibited discharges
- 54.05 Permit procedures and requirements
- 54.06 General Permit Provisions
- 54.07 Waivers
- 54.08 Industrial activity discharges
- 54.09 Access and inspections of properties and facilities
- 54.10 Notification of accidental discharges and spills
- 54.11 Violations, enforcement and penalties
- 54.12 Eligibility

§ 54.01 PURPOSE.

The purpose of this chapter is to:

(A) Protect, maintain, and enhance the environment of the City of Manchester, New Hampshire and the public health, safety and the general welfare of the citizens of the city, by controlling discharges of pollutants to the city's storm water system and to maintain and improve the quality of the receiving waters into which the storm water outfalls flow, including, without limitation, lakes, rivers, streams, ponds, wetlands, and groundwater of the city.

(B) Enable the City of Manchester to comply with the National Pollution Discharge Elimination System permit (NPDES) and applicable regulations, 40 CFR §122.26 for storm water discharges.

(C) Allow the City of Manchester to exercise the powers granted by the State of New Hampshire through applicable statute to:

20+28

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Code of Ordinances of the City of Manchester by adding a new Chapter 54: Storm Water to Title V: Public Works.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- (1) Exercise general regulation over the planning, location, construction, and operation and maintenance of storm water facilities in the City, whether or not owned and operated by the City;
- (2) Adopt any regulations deemed necessary to accomplish the purposes of this ordinance, including the adoption of a system of fees for services and permits;
- (3) Establish standards to regulate the quantity of storm water discharged and to regulate storm water contaminants as may be necessary to protect water quality;
- (4) Review and approve plans for storm water management in proposed subdivisions or commercial developments;
- (5) Issue permits for storm water discharges, or for the construction, alteration, extension, or repair of storm water facilities;
- (6) Suspend or revoke permits when it is determined that the permittee has violated any applicable ordinance, or condition of the permit;
- (7) Regulate and prohibit discharges into storm water facilities of sanitary, industrial, or commercial sewage or waters that have otherwise been contaminated; and
- (8) Expend funds to remediate or mitigate the detrimental effects of contaminated land or other sources of storm water contamination, whether public or private.

§54.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BEST MANAGEMENT PRACTICES. Physical, structural, and/or managerial practices that, when used singly or in combination, prevent or reduce pollution of water, that have been approved by the City of Manchester, and that have been incorporated by reference into the Storm Water Regulations as if fully set out therein. (See Section 6A of the Storm Water Regulations for recommended Best Management Practices manuals.)

City of Manchester New Hampshire

In the year Two Thousand and six

20+28

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by adding a new Chapter 54: Storm Water to Title V: Public Works."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

COMBINED SEWER DRAINAGE SYSTEM. A single pipe conveyance system intended to receive both sewage and storm or surface water.

CONTAMINANT. Any physical, chemical, biological, or radiological substance or matter in water.

DEPARTMENT OF HIGHWAYS. The Highway Division of the City of Manchester.

DIRECTOR OF PUBLIC WORKS. The Chief Administrator of the Department of Highways who is authorized to assign Highway staff to oversee the implementation and enforcement of the Storm Water Regulations and the City of Manchester's Storm Water Ordinance.

DISCHARGE. Dispose, deposit, spill, pour, inject, seep, dump, leak or place by any means, or that which is disposed, deposited, spilled, poured, injected, seeped, dumped, leaked or placed by any means including any direct or indirect entry of any solid or liquid matter into the Municipal Separate Storm Sewer System.

ILLICIT CONNECTIONS. Illegal and/or unauthorized connections to the municipal separate storm water system whether or not such connections result in discharges into that system. "Illegal Connection" means either of the following:

- (1) Any pipe, open channel, drain or conveyance, whether on the surface or subsurface, which allows an illicit discharge to enter the storm drain system including but not limited to any conveyances which allow any non-storm water discharge including sewage, process wastewater, and wash water to enter the storm drain system, regardless of whether such pipe, open channel, drain or conveyance has been previously allowed, permitted, or approved by an authorized enforcement agency; or
- (2) Any pipe, open channel, drain or conveyance connected to the municipal separate storm sewer system which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

ILLICIT DISCHARGE. Any discharge to the Municipal Separate Storm Sewer System that is not composed entirely of storm water and not specifically exempted under Section 2(J) of the Storm Water Regulations.

20+78

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by adding a new Chapter 54: Storm Water to Title V: Public Works."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

LAND DISTURBING ACTIVITY. Any activity on property that results in a change in the existing soil cover (both vegetative and non-vegetative) and/or the existing soil topography. Land-disturbing activities include, but are not limited to, development, re-development, demolition, construction, reconstruction, clearing, grading, filling and excavation.

MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4). The conveyances owned or operated by the municipality for the collection and transportation of storm water, including the roads and streets and their drainage systems, catch basins, curbs, gutters, ditches, man-made channels, and storm drains.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT. A permit issued pursuant to 33 USC Section 1342(b) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

PERSON. Any and all persons, including any individual, firm or association and any city or private corporation organized or existing under the laws of this or any other state or country.

POLLUTANT. Anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; petroleum hydrocarbons; automotive fluids; cooking grease; detergents (biodegradable or otherwise); degreasers; cleaning chemicals; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects and accumulations, so that same may cause or contribute to pollution; sediment; floatables; pesticides, herbicides, and fertilizers; liquid and solid wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; concrete and cement; and noxious or offensive matter of any kind.

POLLUTION. The contamination or other alteration of any water's physical, chemical or biological properties by the addition of any constituent and includes but is not limited to, a change in temperature, taste, color, turbidity, or odor of such waters, or the discharge of any liquid, gaseous, solid, radioactive, or other substance into any such waters as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety, welfare, or environment, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life.

City of Manchester New Hampshire

In the year Two Thousand and Six

20+28

AN ORDINANCE

“Amending the Code of Ordinances of the City of Manchester by adding a new Chapter 54: Storm Water to Title V: Public Works.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

PREMISES. Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

STATE WATERS. Any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and other bodies of surface and subsurface water, natural or artificial, lying within or forming a part of the boundaries of the State of New Hampshire which are not entirely confined and retained completely upon the property of a single person.

STORM WATER. Storm water runoff, snow melt runoff, surface runoff, street wash waters related to street cleaning or maintenance, infiltration and drainage.

STORM WATER APPEALS COMMITTEE. A three-member committee consisting of a Highway Commissioner, an engineer from a private engineering firm and an engineer from the Department of Highways.

STORM WATER MANAGEMENT. The programs to maintain quality and quantity of storm water runoff to pre-development levels.

STORM WATER MANAGEMENT FACILITIES. The drainage structures, conduits, ditches, combined sewers, sewers, and all device appurtenances by means of which storm water is collected, transported, pumped, treated or disposed of.

STORM WATER MANAGEMENT PLAN. The set of drawings and other documents that comprise all the information and specifications for the programs, drainage systems, structures, Best Management Practices, concepts and techniques intended to maintain or restore quality and quantity of storm water runoff to pre-development levels.

STORM WATER POLLUTION PREVENTION PLAN (SWPPP). A plan that clearly describes appropriate control measures that include a description of all pollution control measures (i.e., Best Management Practices) that will be implemented as part of the construction activity to control pollutants in storm water discharges and describes the interim and permanent stabilization practices for the site.

STORM WATER REGULATIONS. A supplement to the Storm Water Ordinance that includes additional conditions and requirements. Copies are available at the Department of Highways and the Office of the City Clerk.

20 + 28

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by adding a new Chapter 54: Storm Water to Title V: Public Works."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

STORM WATER RUNOFF. Flow on the surface of the ground, resulting from precipitation and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

STORM WATER UTILITY. The Department of Highways and its duly authorized agents created by ordinance of the City to administer the Storm Water Management Ordinance, and other Storm Water Regulations adopted by the City.

STRUCTURAL BEST MANAGEMENT PRACTICES. Devices that are constructed to provide control of storm water runoff.

STRUCTURAL STORM WATER CONTROL. A structural storm water management facility or device that controls storm water runoff and changes the characteristics of that runoff including, but not limited to, the quantity and quality, the period of release or the velocity of flow.

§ 54.03 ADMINISTRATION.

The Director of the Department of Highways or his designee shall administer the provisions of this ordinance and is hereby authorized to promulgate and amend such regulations as may be necessary and convenient to effectuate the purposes and enforce the requirements of this ordinance.

§ 54.04 PROHIBITED DISCHARGES.

The specific prohibited discharges outlined in the Storm Water Regulations are not inclusive of all discharges prohibited by this ordinance and the Storm Water Regulations.

§ 54.05 PERMIT PROCEDURES AND REQUIREMENTS.

(A) *Permit Required* - No land owner or land operator shall begin any site work on any building(s), grading or other land development or any land disturbance activities (as outlined in §54.06) without first submitting a Notice of Intent (NOI) to EPA Washington. Owner must also have received acknowledgement, have a Department of Highways approved Storm Water Pollution Prevention Plan and meet the requirements of this ordinance.

City of Manchester New Hampshire

In the year Two Thousand and Six

20+28

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by adding a new Chapter 54: Storm Water to Title V: Public Works."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

(B) *General Waiver Requirement.* - Every applicant shall provide for storm water management as required by this ordinance and the Department of Highways Storm Water Regulations unless a written request is filed to waive this requirement. Requests to waive the Storm Water Management Program requirements shall be submitted to the Department of Highways for approval.

(C) *Application Requirements* - Unless specifically excluded by this ordinance, any landowner or operator desiring a permit for a land disturbance activity (as described in Section 4 of the Storm Water Regulations) shall secure required approvals through the City of Manchester's Planning Board and shall submit to the Department of Highways proof of NOI submission and a copy of the Storm Water Pollution Prevention Plan, as approved by the Department of Highways, for related project before beginning any site clearing or construction.

§ 54.06 GENERAL PERMIT PROVISIONS.

(A) *Land Disturbance permits when required* - Every owner/operator will be required to obtain an EPA General Permit from the EPA through a Notice of Intent in the following cases:

- (1) Land disturbing activity disturbs one (1) or more acres of land;
- (2) Land disturbing activity of less than one (1) acre of land if such activity is part of a larger common plan of development that affects one (1) or more acres of land;
- (3) Land disturbing activity of less than one (1) acre of land, if in the discretion of City of Manchester such activity poses a unique threat to water, or public health or safety;
- (4) The creation and use of borrow pits (the excavation of soils from one area to be used in another area that would meet any of the criteria of 1, 2, or 3 above).

20+28

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by adding a new Chapter 54: Storm Water to Title V: Public Works."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

§ 54.07 WAIVERS.

Every applicant shall provide for Storm Water Management as required by the Storm Water Regulations, unless a written request is filed to waive this requirement. Requests to waive the Storm Water Management Program requirements shall be submitted to the Director of Public Works for approval and must meet the requirements of 40 CFR §122.26(g).

§ 54.08 INDUSTRIAL ACTIVITY DISCHARGES.

All operators of landfills, hazardous waste treatment, disposal, and recovery facilities and industrial facilities are subject to Section 313 of Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA) 42, USC § 11023, and industrial facilities that the City determines are contributing a pollutant load to the Municipal Separate Storm Sewer System, which are sources of storm water discharges associated with industrial activity shall comply with the requirements outlined in the City's Storm Water Regulations.

§ 54.09 ACCESS AND INSPECTION OF PROPERTIES AND FACILITIES.

(A) The representative of the Department of Highways shall be permitted to enter and inspect properties and facilities at reasonable times as often as may be necessary to determine compliance with this ordinance.

(B) If a property or facility has security measures in force, which require proper identification and clearance before entry into its premises, the owner or operator shall make the necessary arrangements to allow access to representatives of the Department of Highways.

(C) The owner or operator shall allow the representative of the Department of Highways ready access to all parts of the premises for the purposes of inspection, sampling, photography, videotaping, examination and copying of any records that are required under the conditions of a National Pollutant Discharge Elimination System Permit to discharge storm water.

(D) The Department of Highways shall have the right to set up on any property or facility such devices as are necessary in the opinion of the Department of Highways to conduct monitoring and/or sampling of flow discharges.

City of Manchester New Hampshire

In the year Two Thousand and Six

20+28

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by adding a new Chapter 54: Storm Water to Title V: Public Works."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

(E) The Department of Highways may require the owner or operator to install monitoring equipment and perform monitoring as necessary, and make the monitoring data available to the Department of Highways. This sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the owner or operator at his/her own expense. All devices used to measure flow and quality shall be calibrated to ensure their accuracy.

(F) Any temporary or permanent obstruction to safe and easy access to the property or facility to be inspected and/or sampled shall be promptly removed by the owner or operator at the written or oral request of the Department of Highways and shall not be replaced. The costs of clearing such access shall be borne by the owner or operator.

(G) Unreasonable delays in allowing the Department of Highways access to a facility shall be a violation of this ordinance.

(H) If the Department of Highways has been refused access to any part of the premises from which storm water is discharged, and the Department of Highways is able to demonstrate probable cause to believe that there may be a violation of this ordinance, or that there is an need to inspect and/or sample as part of a routine inspection and sampling program designated to verify compliance with this ordinance or any order issued hereunder, or to protect the overall public health, safety, environment and welfare of the community, then the Department of Highways may seek issuance of a search warrant from any court of competent jurisdiction.

§ 54.10 NOTIFICATION OF ACCIDENTAL DISCHARGES AND SPILLS.

Notwithstanding other requirements of law, as soon as any person responsible for a facility, activity or operation, or responsible for emergency response for a facility, activity or operation has information of any known or suspected release of pollutants or non-storm water discharges from that facility or operation which are resulting or may result in illicit discharges or pollutants discharging into storm water, the City of Manchester's separate storm sewer system, State Waters, or Waters of the U.S., said person shall immediately notify the Department of Highways and take all necessary steps to ensure the discovery, containment, and cleanup of such release so as to minimize the effects of the discharge.

20+28

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Code of Ordinances of the City of Manchester by adding a new Chapter 54: Storm Water to Title V: Public Works.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

§ 54.11 VIOLATIONS, ENFORCEMENT AND PENALTIES.

(A) It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of the City’s Storm Water Ordinance or the Storm Water Regulations. Any person who has violated or continues to violate these provisions may be subject to the enforcement actions outlined in this section or may be restrained by injunction or otherwise abated in a manner provided by law.

In the event the violation constitutes an immediate danger to public health or public safety, the Department of Highways is authorized to enter upon the subject private property, without giving prior notice, to take any and all measures necessary to abate the violation and/or restore the property. The Department of Highways is authorized to seek costs of the abatement as outlined in §54.11(F).

(B) Whenever the Department of Highways finds that a violation of this ordinance or the Regulations has occurred, the Public Works Director or designee may order compliance by written Notice of Violation. The Notice of Violation shall contain:

- (1) The name and address of the alleged violator;
- (2) The address when available or a description of the building, structure or land upon which the violation is occurring, or has occurred;
- (3) A statement specifying the nature of the violation;
- (4) A description of the remedial measures necessary to restore compliance with this ordinance and a time schedule for the completion of such remedial action;
- (5) A statement of the penalty or penalties that may be assessed against the person to whom the notice of violation is directed; and,
- (6) A statement that the determination of violation may be appealed to the Department of Highways Storm Water Appeals Committee by filing a written notice of appeal within five (5) days of service of notice of violation.

(C) Such notice may require without limitation:

- (1) The performance of monitoring, analyses, and reporting;
- (2) The elimination of illicit discharges and illegal connections;

City of Manchester New Hampshire

In the year Two Thousand and Six

20+28

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by adding a new Chapter 54: Storm Water to Title V: Public Works."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- (3) That violating discharges, practices, or operations shall cease and desist;
- (4) The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property;
- (5) Payment of costs to cover administrative and abatement costs; and,
- (6) The implementation of pollution prevention practices.

(D) *Appeal of Notice of Violation* - Any person receiving a Notice of Violation may appeal the determination of the Department of Highways. The appeal must be received within five (5) days from the date of the Notice of Violation. Filing of an appeal does not relieve the owner from full compliance with the remedial actions outlined in the Notice of Violation. Hearing on the appeal before the Department of Highways, Storm Water Appeals Committee shall take place within thirty (30) days from the date of receipt of the appeal. The decision of the Storm Water Appeals Committee shall be final.

(E) *Enforcement Measures After Appeal* - If the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, then representatives of the Department of Highways may enter upon the subject private property and are authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the government agency or designated contractor to enter upon the premises for the purposes set forth above.

(F) *Costs of Abatement of the Violation* - Within ten (10) days after abatement of the violation, the owner of the property will be notified of the cost of abatement, including administrative costs. The property owner may file a written protest objecting to the assessment or to the amount of the assessment within fifteen (15) days of such notice. If the amount due is not paid within thirty (30) days after receipt of the notice, or if an appeal is taken, within five (5) days after a decision on said appeal, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment. Any person violating any of the provisions of this article shall become liable to the City of Manchester by reason of such violation.

20+28

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Code of Ordinances of the City of Manchester by adding a new Chapter 54: Storm Water to Title V: Public Works.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

(G) *Civil Penalties* - In the event the alleged violator fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within two (2) days, or such greater period as the Department of Highways shall deem appropriate, after the Director of Public Works or designee has taken one or more of the actions described above, the Public Works Director may impose a penalty not to exceed \$1,000 (depending on the severity of the violation) for each day the violation remains unremedied after receipt of the notice of violation.

(H) *Criminal Penalties* - For violations of the Storm Water Ordinance or the Regulations, the Director of Public Works may issue a citation to the alleged violator requiring such person to appear in court to answer charges for such violation. Upon conviction, such person shall be punished by a fine not to exceed \$1,000 for each day the violation has occurred, or imprisonment for up to sixty (60) days or both. Each act of violation and each day upon which any violation shall occur shall constitute a separate offense.

(I) *Violations Deemed a Public Nuisance* - In addition to the enforcement process and penalties provided in this ordinance any threat to public health, safety, welfare and environment and is declared and deemed a nuisance, may be abated by injunctive or other equitable relief as provided by law.

(J) *Remedies Not Exclusive* - The remedies listed in this ordinance and the Regulations are not exclusive of any other remedies available under any applicable Federal, State or local law and the City of Manchester may seek cumulative remedies.

The City of Manchester may recover attorney's fees, court costs, and other expenses associated with enforcement of this ordinance, including sampling and monitoring expenses.

§ 54.12 ELIGIBILITY.

(A) *Permit Eligibility* - Permit eligibility is limited to discharges from “large” and “small” construction activity or as otherwise designated by the EPA. This general permit contains eligibility restrictions, as well as permit conditions and requirements. Permittee may have to take certain actions to be eligible for coverage under this permit. In such cases, permittee must continue to satisfy those eligibility provisions to maintain permit authorization. If permittee does not meet the requirements that are pre-condition to eligibility, then the resulting discharges constitute unpermitted discharges. By contrast, if permittee does not comply with the requirements of the general permit, permittee may be in violation of the general permit for their otherwise eligible discharges.

City of Manchester
New Hampshire

In the year Two Thousand and Six

20-28

AN ORDINANCE

“Amending the Code of Ordinances of the City of Manchester by adding a new Chapter 54: Storm Water to Title V: Public Works.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

(B) Combined Sewer Drainage Systems Discharges from “large” and “small” construction activity or as otherwise designated by the EPA that flow into a combined sewer system are not covered by the EPA’s Phase II Storm Water Program. A Notice of Intent does not need to be submitted to the EPA nor does the owner/operator have to receive acknowledgement from the EPA prior to the start of construction activity.

The City of Manchester is requiring in these instances that all other conditions as outlined in this ordinance or the Regulations shall apply to all construction activity as defined in §54.06 with the exception of submitting the Notice of Intent to EPA Washington. The requirements for determination of no impact status as outlined in the Endangered Species Act and Historic Preservation Act along with the completion of a Storm Water Pollution Prevention Plan as outlined in the Notice of Intent submission is still a mandatory submission to the City of Manchester and must follow the conditions as outlined in the EPA’s Notice of Intent.

24

City of Manchester New Hampshire

In the year Two Thousand and Six

A RESOLUTION

"Resolution Adopting the provisions of RSA261:154 Additional Fees for Registration Permits."

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the City of Manchester owns and operates public parking facilities and,

WHEREAS, the City of Manchester owns and operates the public parking facilities at a loss in an effort to stimulate intown economic development and,

WHEREAS, the City of Manchester has needs for additional capital requirements relative to public parking facilities and,

WHEREAS, the City of Manchester is a city with a population of greater than 50,000 as determined by the last federal census,

It is hereby resolved as follows:

SECTION 1 That the City of Manchester adopts the provisions of RSA 261:154 Additional Fees for Registration Permits.

SECTION 2 That the City of Manchester adopts fees for such permits as follows:

- 5 mills on each dollar of the maker's list price for a current model year vehicle
- 4 mills on each dollar of the maker's list price for the first preceding model year vehicle
- 3 mills on each dollar of the maker's list price for the second preceding model year vehicle
- 2 mills on each dollar of the maker's list price for the third preceding model year vehicle
- 1 mills on each dollar of the maker's list price for the fourth preceding model year vehicle and any model year prior thereto

SECTION 3 That the City of Manchester adopts a maximum fee of five dollars (\$5.00) and a minimum fee of one dollar (\$1.00)

SECTION 4 The additional fee provided for by this resolution shall not be charged to a veteran entitled to an exemption pursuant to RSA 261:157.

City of Manchester New Hampshire

24

In the year Two Thousand and Six

A RESOLUTION

"Resolution Adopting the provisions of RSA261:154 Additional Fees for Registration Permits."

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

- SECTION 5 That the City of Manchester adopts the policy that the additional fee for any vehicle that is presently assessed a flat fee for registration shall be a five dollar (\$5.00) fee
- SECTION 6 That the tax collector shall collect such additional fees for registrations that are effective September 1, 2006 and thereafter.
- SECTION 7 That all fees collected shall be used for the construction, operation and maintenance of public parking facilities as provided in RSA 231:114-129

Resolved, that this resolution shall take effect upon its passage.

For "additional fees for auto registration"



Kevin A. Dillon, A.A.E.
Airport Director

One Airport Road
Suite 300
Manchester, NH
03103-3395
Tel: 603-624-6539
Fax: 603-666-4101
www.flymanchester.com

July 25, 2006

The City of Manchester
Board of Mayor and Aldermen
One City Hall Plaza
Manchester, NH 03101

Dear Honorable Board:

The airport is exploring the potential benefits of developing regularly scheduled bus service between the terminal, the multi-modal transportation facility in Woburn, MA and the Sullivan Square MBTA Station in Boston. Although we have not completed our research at this time, I am writing the Board seeking advance approval to initiate any necessary negotiations and equipment purchases associated with this endeavor.

As you know, during the past decade, air service increases and airport facility and infrastructure improvements have dramatically changed the role that the airport plays in providing air transportation services in New England. Manchester has experienced a period of significant growth and success and now welcomes approximately four and a half million passengers through its doors each year; with almost one million of them coming from the State of Massachusetts. Many new air travelers from outside the region are also discovering the ease and convenience of using Manchester to access the major business centers and leisure attractions across New England.

One of the major challenges that we continue to work on is the lack of regularly scheduled ground transportation service between the airport, northern Massachusetts and the City of Boston. We have tried several times to convince private bus operators to initiate service, but have been unsuccessful. Therefore, the airport is considering the development of a "pilot program" designed to greatly increase connectivity between the airport and the metropolitan Boston area.

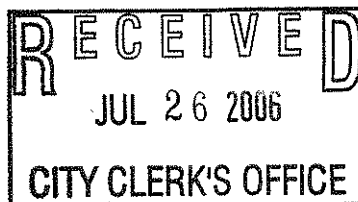
The proposed pilot program would operate for a six-month period and would provide free scheduled bus service departing the airport and the Sullivan Square MBTA Station every two hours. This service would be available to ticketed airline passengers.

It is the airport's intention to operate and evaluate this service during the six-month pilot program and then look to transition its operation over to a private contractor. It's estimated that the airport would not invest more than \$500,000 on equipment, personnel and operating expenses. If for some reason the pilot program is not continued, all equipment purchased would be readily absorbed by other airport functions.

I hope the Board will look favorably upon this request.

Sincerely,

Kevin A. Dillon, AAE
Airport Director





Joseph P. Kane
Chief of Department

City of Manchester Fire Department

100 Merrimack Street • Manchester, NH 03101-2208
(603) 669-2256 Business • (603) 669-7707 Fax
www.ci.manchester.nh.us

26

TO: Board of Mayor and Aldermen

FROM: Chief Joseph P. Kane *J.P.K.*

DATE: July 27, 2006

RE: Request for acceptance of funds

The Manchester Fire Department is in receipt of a grant (\$9,375.00) for "Public Health Preparedness and Response for Bioterrorism" awarded to the State of New Hampshire from the federal Centers for Disease Control and Prevention (CDC).

We are seeking approval to accept the funds for training in Response for Bioterrorism.

27

ANDREW H. SULLIVAN

Attorney At Law

P.O. Box 10354
24 Eastman Avenue
Bedford, New Hampshire 03110

Tel (603) 644-5291
Fax (603) 644-0268

July 10, 2006

Mayor and Board of Alderman
C/o Leo R. Bernier
Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101

RE: RSA 674:41 and Corson Street (aka Glendale Extension), a private way

Gentlemen:

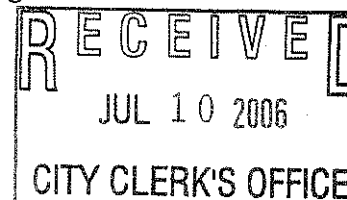
I represent Ronald and Diane St. Hilare and JAMBCO, Inc, owners of the two remaining undeveloped lots on Corson Street, a private way.

Corson Street (aka Glendale Avenue extension) was discontinued as a public road by the Mayor and Board of Alderman on April 6, 1982, reserving "access to lots owned by Mrs. Proulx available by means of easement to provide a right of way." See **Exhibit A** for copy of vote of discontinuance and release. See also a May 12, 1993 letter to you from Robert MacKenzie regarding the status of Corson Street, annexed hereto as **Exhibit B**.

Currently, Corson Street, including the two corner lots at the corner of Glendale Avenue and Corson Street, has nine lots fronting it. Seven of these lots are improved: the two corner lots with single-family homes; the other five lots with duplexes (most of which are condominium condexes). Corson Street is paved for its full width a depth of three lots, and paved for half-width, for the remainder of the street. The street is served with municipal water and sewer. However, as a private way, the street is plowed and maintained by the lot owners abutting the street. See **Exhibit C** for an aerial overlay picture.

Since April 1982, the Zoning Board of Administration (ZBA) has granted variances to build the five duplexes/condexes on Corson Street. The last variance for a duplex was granted by the ZBA in 1988. The variances were necessary because Corson Street is a private way without frontage on an accepted city street.

NHRSA 674:41, entitled: "Erection of Buildings on Streets; Appeals" addresses conditions upon which a building may be built on a lot abutting the street giving access to the lot. See **Exhibit D** for a copy of this statute.



RSA 674:41 (I) (d) allows a building to be built on a private road provided that:

- (1) **The local governing body, after review and comment by the planning board, has voted to authorize the issuance of building permits for the erection of buildings on said private road or portion thereof; and**
- (2) The municipality neither assumes responsibility for maintenance of said private road nor liability for any damages resulting from the use thereof; and
- (3) Prior to the issuance of a building permit, the applicant shall produce evidence that notice of the limits of municipal responsibility and liability has been recorded in the county registry of deed for which the building permit is sought.

RSA 674:41 (II) provides, in part, that “whenever enforcement of the provisions of this section would entail practical difficulty or unnecessary hardship, and when the circumstances of the case do not require the building, structure or part thereof to be related to existing or proposed streets, the applicant may appeal from the decision of the administrative officer having charge of the issuance of permits to the *zoning board of adjustment*...”

In the instant case, the applicant submitted a variance request to allow the last two lots abutting Corson Street, after reconfiguring their shape and size, to become duplex lots (duplexes are allowed in this zone). This request was denied for lack of frontage and the applicant was advised of its right to appeal to the Zoning Board of Adjustment. See **Exhibit E** for copy of denial letter.

At the variance hearing held before the ZBA on July 6, 2006, the matter was continued to August 3, 2006, to allow the ZBA to seek an opinion from the City Solicitor's office as to the ZBA's jurisdiction to decide this matter. Apparently at issue for the ZBA is whether or not RSA 674:41 (I) (d) (1) requires the Mayor and Board of Alderman to first address this matter.

It is the applicant's position that the Mayor and Board of Alderman, the Planning Board, and the ZBA have already addressed this matter by virtue of the granting of five variances to build duplexes on Corson Street since after the date it was discontinued from public servitude.


Through this letter, it is requested that the Mayor and Board of Alderman vote and affirm that, pursuant to RSA 674:41 (I) (d) (1), issuance of building permits on Corson Street, a private way, is authorized.

Timing is critical in this matter due to the August 3, 2006 ZBA meeting coming up.

27

Your prompt response will be appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Andrew H. Sullivan". The signature is fluid and elegant, with the first name "Andrew" being more prominent than the last name "Sullivan".

Andrew H. Sullivan

Cc: Hon. Frank Guinta
Leon LaFreniere
Max Sink
Dan Muller, Esq.
Robert Mackenzie
Terry Harlacher

27

TO THE HONORABLE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER:

The undersigned respectfully represent that for the accommodation of the public there is occasion for the City to release and discharge from all public servitude Corson Street, so-called, bounded and described as follows: beginning at the intersection of the south line of Glendale Avenue and the west line of said Corson Street, said point being (200') two hundred feet east of the east line of Jewett Street.

Thence, southerly along the west line of said Corson Street (315.5') three hundred fifteen and five tenths feet to the southerly plotted terminus of said Corson Street, as shown on a plan entitled Revised Map of Bellevue Manor & Additions, Manchester, New Hampshire, owned by Albert W. Lacroix and dated July 1929, and filed at the Office of the City Department of Highways.

Said described line is the west line of the highway, the highway was to be (50') fifty feet in width and identified as Corson Street on the afore-mentioned plan.

They, therefore, request that you release and discharge the said Corson Street, as above described, from all public servitude.

Dated at the City of Manchester, New Hampshire, this 9th day of June 1981.

Arthur R. LeBlanc, 41 Jewett Street
Jean-Paul Martel, 95 Glendale Avenue
Edward L. Murphy, 23 Jewett Street
Dwight Fournier, 53 Jewett Street

At a meeting of the Board of Mayor and Aldermen held March 2, 1982 it was unanimously voted to hold a road hearing on all petitions filed with the City Clerk as of March 3, 1982 and further, that the hearing be held WEDNESDAY, MARCH 24, 1982, at 2:30 P.M. in the Aldermanic Chambers at City Hall.

SERVICE OF NOTICE

I hereby certify that on March 5, 1982, notice of a public hearing to be held on a petition for release and discharge of Corson Street, was served by certified mail on

Edward A. & Ida M. Grenier 175 Glendale Avenue Manchester, N.H. Cert NO. 732512	Germaine Proulx 103 Villa Street Manchester, N.H. Cert NO. 732513	Edward L. & Mary T. Murphy 23 Jewett Street Manchester, N.H. Cert NO. 732514	Arthur R. & Mary L. LeBlanc 41 Jewett Street Manchester, N.H. Cert NO. 732515
Dwight J. & Mary C. Fournier 53 Jewett Street Manchester, N.H. Cert NO. 732516	Jean-Paul & Germaine R. Martel 95 Glendale Avenue Manchester, N.H. Cert NO. 732517	Laurent N. & Marie V. Roy 106 Glendale Avenue Manchester, N.H. Cert NO. 732518	
Richard H. & Elaine C. Perusse 122 Glendale Avenue Manchester, N.H. Cert NO. 732519	Leonard J. & Elizabeth M. Murphy 780 Cilley Road Manchester, N.H. Cert NO. 732520	Ronald A. & Ann R. Harquis 792 Cilley Road Manchester, N.H. Cert NO. 732721	

and posted a like attested copy at City Hall and at City Hall Annex, public places in the City of Manchester.

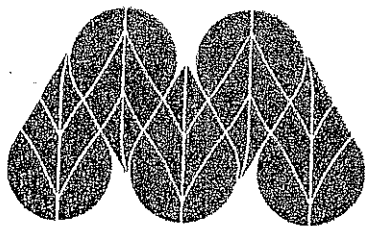
s/ Joan E. Walsh
City Clerk

Upon the foregoing petition, the Board of Mayor and Aldermen met at the time and place appointed, there being a quorum present and voting throughout, and having made a personal evaluation of the highway, the Board was of the opinion that for the accommodation of the public, there was occasion for releasing and discharging Corson Street from all public servitude as recited in the petition and, on motion made and duly seconded, it was voted to approve said releasing and discharging, with access to lots owned by Mrs. Proulx available by means of easement to provide a right of way.

Dated at the City of Manchester, New Hampshire, this 6th day of April 1982.

A true record. Attest.

Joan E. Walsh
City Clerk



City of Manchester
City Planning Department

The Beacon Building
814 Elm Street
Manchester, New Hampshire 03101
(603) 624-6450
FAX 624-6529

May 12, 1993

Honorable Board of Mayor and Aldermen
Committee on Public Works
City Hall
908 Elm Street
Manchester, New Hampshire 03101

c/o City Clerk

Gentlemen:

This is in regard to a request by the Sandpiper East Condominium Association to convert a private street - so called Corson Street - to a public street. I would like to offer some background information on this and then address several issues.

1) **Background.** Prior to 1982, Corson Street was a paper street which had been laid out as Bellevue Manor Addition in 1929 but had never been built. At the request of the abutting property owners, the Board of Mayor and Aldermen was released and discharged (discontinued) Corson Street in April of 1982. At that point in time, Corson Street lost all public status.

Shortly thereafter, a developer applied to the Zoning Board of Adjustment for a variance to modify lot lines and construct duplex units in this area (duplexes are allowed in this area but a variance was required since there was no frontage on a public street). Although the initial request was denied, a variance was granted upon appeal of the original decision. Following action by the ZBA, the City Solicitor noted that there were legal problems with the action relating to the lots and, therefore, an application was submitted to the Planning Board for subdivision action on the lot lines only (not for the construction of the buildings) which was subsequently approved. In 1988 two other variances were approved by the Zoning Board of Adjustment for duplexes along Corson Street.

In these various actions, it was understood that Corson Street would have to remain a private street. In at least one of the ZBA actions, it was a stipulation that the street remain private. Agreements were recorded at the Registry of deeds which indicated that the street was private and would be maintained as a private street. In a letter to City Solicitor explaining the Planning Board action dated March 29, 1983, John Grogan indicated

"There appeared to be two alternatives available. One was to require that all of the abutters join in re-dedicating the former Corson Street

MAY 11 9 36 AM '93

right-of-way as a Public street and providing for its improvement. The abutters did not appear to be interested in this alternative. In the absence of a Public way, the other alternative... was to recognize this as a private common drive and to receive the applicant's representations as to how he would provide for private improvements necessary for the development and for notice to the purchasers of the lots being developed of their obligations in maintaining the private driveway, utility connections, and refuse disposal... Their intent [Planning Board] in their actions was to insure that the purchasers of these lots understood their obligations and to protect the City against this becoming a Public way by gradual increments of service needs."

2) Concern on accepting private streets "as is". There are dozens of private streets in the City which are normally associated with condominium projects. These streets are not built to the standards of public streets and typically are narrower, have no curbs, and the sub-base and wearing courses of pavement are normally not to standard. As such, the long term maintenance and repair costs will likely be higher than for public streets and the pavement width is not normally adequate for use as a public street. One of the reasons that the developers did not wish to create public streets in these projects was the cost associated with the higher standard.

Because of the above issues of construction standards and potential added costs to the public and because it may start a precedent for requests from other private street owners (several have expressed an interest in this), it is not recommended that the private street be accepted as a public street in "as is" condition. In addition, it may not be possible under state law for the City to accept the private street in this condition, as discussed below.

3) State Law on Layout for existing private Rights-of-Way. I believe that the controlling law on this matter may be N.H. RSA 231:28 - 33. The statute provides:

"Whenever,... the selectmen receive a petition to lay out roads over existing private rights-of-way... and such right-of-way does not conform to construction standards and requirements currently in effect in the town, the selectmen may conditionally lay out roads upon compliance with betterment assessments as provided in this section and in RSA 231:20-33.... If a highway is so laid out, the selectmen may construct, reconstruct, repair or cause to be constructed, reconstructed or repaired such highways, streets, roads, or traveled ways to conform in every way with the highway or street construction standards and regulations previously established by the town."

The statute also provides for certain hearing, notice and time stipulations. It would appear that the intent of the statute is to require reconstruction to standards in order for the City to accept a private street and that the costs for reconstruction may be assessed to the owners. This should be confirmed with the City Solicitor, however.

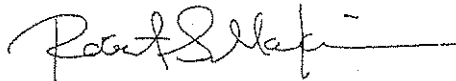
4) Other legal questions. Certain other legal issues should be reviewed. The effect of any action should be reviewed as to its effect on the stipulations of the Zoning Board of Adjustment in requir-

ing the street to remain private. In addition, the condominium documents and other private agreements reference the street as being private and would have to be modified.

In summary, the City should be careful in acting upon requests for converting private streets to public status due to the establishment of precedent for the many private streets that currently exist in the City as well as the liability that may be incurred in future maintenance and repair costs. The most prudent course of action would be to closely follow state law in requiring private streets to be reconstructed to public standards and assessing the costs to the owners. In these cases, the owners must weigh the costs of improvements against the potential benefits of public street frontage.

If you have any questions, please feel free to contact me.

Sincerely,



Robert S. MacKenzie
Director of Planning

cc: Ted MacLeod
Tom Clark



Section 674:41

674:41 Erection of Buildings on Streets; Appeals. –

I. From and after the time when a planning board shall expressly have been granted the authority to approve or disapprove plats by a municipality, as described in RSA 674:35, no building shall be erected on any lot within any part of the municipality nor shall a building permit be issued for the erection of a building unless the street giving access to the lot upon which such building is proposed to be placed:

(a) Shall have been accepted or opened as, or shall otherwise have received the legal status of, a class V or better highway prior to that time; or

(b) Corresponds in its location and lines with:

(1) A street shown on the official map; or

(2) A street on a subdivision plat approved by the planning board; or

(3) A street on a street plat made by and adopted by the planning board; or

(4) A street located and accepted by the local legislative body of the municipality, after submission to the planning board, and, in case of the planning board's disapproval, by the favorable vote required in RSA 674:40; or

(c) Is a class VI highway, provided that:

(1) The local governing body after review and comment by the planning board has voted to authorize the issuance of building permits for the erection of buildings on said class VI highway or a portion thereof; and

(2) The municipality neither assumes responsibility for maintenance of said class VI highway nor liability for any damages resulting from the use thereof; and

(3) Prior to the issuance of a building permit, the applicant shall produce evidence that notice of the limits of municipal responsibility and liability has been recorded in the county registry of deeds; or

(d) Is a private road, provided that:

(1) The local governing body, after review and comment by the planning board, has voted to authorize the issuance of building permits for the erection of buildings on said private road or portion thereof; and

(2) The municipality neither assumes responsibility for maintenance of said private roads nor liability for any damages resulting from the use thereof; and

(3) Prior to the issuance of a building permit, the applicant shall produce evidence that notice of the limits of municipal responsibility and liability has been recorded in the county registry of deeds for the lot for which the building permit is sought; or

(e) Is an existing street constructed prior to the effective date of this subparagraph and is shown on a subdivision plat that was approved by the local governing body or zoning board of adjustment before the municipality authorized the planning board to approve or disapprove subdivision plats in accordance with RSA 674:35, if one or more buildings have been erected on other lots on the same street.

II. Whenever the enforcement of the provisions of this section would entail practical difficulty or unnecessary hardship, and when the circumstances of the case do not require the building, structure or part thereof to be related to existing or proposed streets, the applicant for such permit may appeal from the decision of the administrative officer having charge of the issuance of permits to the zoning board of adjustment in any municipality which has adopted zoning regulations in accordance with RSA 674, or, in municipalities in which no board of adjustment exists, to the local legislative body, or to a board of appeals, whichever is appropriate, in accordance with RSA 674:14 and 674:15, including the requirement for a public hearing. In a municipality which does not require building permits, direct application may be made to the zoning board of adjustment, or

the local legislative body, or the board of appeals for permission to erect the building. In passing on such appeal or application, the board of adjustment, local legislative body, or board of appeals may make any reasonable exception and shall have the power to authorize or issue a permit, subject to such conditions as it may impose, if the issuance of the permit or erection of the building would not tend to distort the official map or increase the difficulty of carrying out the master plan upon which it is based, and if erection of the building or issuance of the permit will not cause hardship to future purchasers or undue financial impact on the municipality. Any such decision made in this connection by a board of adjustment, local legislative body, or by a board of appeals pursuant to this section and RSA 674:14 and 674:15 shall be in writing, together with the reasons for the decision, and shall be subject to review in the manner described in RSA 677.

II-a. Municipalities may except any lot, including island lots for islands served exclusively by boats, from the requirements of paragraphs I and II by an affirmative vote of the local legislative body pursuant to RSA 675, first submitted to the planning board for its approval and:

(a) If approved by the board, approved by a majority of those present and voting at a regular or special meeting of the local legislative body; or

(b) If disapproved by the planning board, approved by not less than 2/3 of those present and voting at a regular or special meeting of the local legislative body.

III. This section shall supersede any less stringent local ordinance, code or regulation, and no existing lot or tract of land shall be exempted from the provisions of this section except in accordance with the procedures expressly set forth in this section. For purposes of paragraph I, "the street giving access to the lot" means a street or way abutting the lot and upon which the lot has frontage. It does not include a street from which the sole access to the lot is via a private easement or right-of-way, unless such easement or right-of-way also meets the criteria set forth in subparagraphs I(a), (b), (c), (d), or (e).

IV. In addition to the requirements for the erection of buildings in paragraph I and notwithstanding the exceptions provided in paragraph II, the planning board for a county in which there are located unincorporated towns or unorganized places shall require every building which is erected on leased land located within an unincorporated town or unorganized place to have a building permit. A building permit shall be required under this paragraph regardless of the proximity of the building to any street or highway. The county shall, by resolution, authorize the planning board to issue building permits under this paragraph.

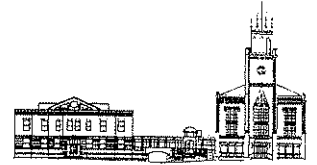
Source. 1983, 447:1. 1988, 131:2, 3. 1989, 266:20. 1995, 291:10, eff. Aug. 20, 1995. 1998, 344:6, eff. Aug. 25, eff. 1998. 2002, 270:1, 5, eff. July 17, 2002. 2004, 154:1, 2, eff. July 23, 2004. 2005, 226:1, 2, eff. Sept. 3, 2005.



Leon L. LaFreniere
Building Commissioner

CITY OF MANCHESTER DEPARTMENT OF BUILDINGS

One City Hall Plaza
Manchester, New Hampshire 03101
Tel: (603) 624-6475
Fax: (603) 624-6324



Matthew M. Sink
Deputy Bldg. Commissioner

April 25, 2006

JAMCO INC
RONALD & DIANE ST. HILAIRE
ATTY. ANDY SULLIVAN (AGENT)
24 EASTMAN AVE.
BEDFORD, NH 03110

RE: 23 & 41 JEWETT ST B-2 S/A

Your application for a permit dated April 4, 2006, to consolidate adjacent lots and re-subdivide into 5 parcels, creating parcels 2 and 3 with no street frontage all as per plans submitted April 4, 2006 and with non-compliance listed in zoning review dated April 12, 2006, is hereby acknowledged.

According to Section(s) 6.02 Lot frontage (parcels 2 & 3) District R-2 of the Zoning Ordinance of the City of Manchester, New Hampshire, passed to be ordained on February 7, 2001, this is prohibited. Further at parcels 2 & 3 N.H.R.S.A. Chap. 674:41 "Erection of Buildings" does not permit this issuance of this permit, but provides for appeal to the Board of Adjustment in such cases. Consequently, I have no authority to grant this permit. Permit is hereby DENIED.

Note: Subject to Subdivision Approval from the Planning Board; Parcel 5 subject to a Conditional Use Permit for a single family dwelling.

Further proceedings contemplated pertaining to this application must be pursuant to NH Revised Statutes Annotated 674:33 or other statutory provisions relative to Zoning Boards of Adjustment, as may be appropriate.

Signed

Building Commissioner



To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Joint School Buildings respectfully advises, after due and careful consideration, that it has authorized processing of legal expense payments from the School Facilities Improvement Project Contingency regarding Gilbane.

(School Committee Members Beaudry, Herbert, Gelinas and Alderman Roy abstained; Aldermen Thibault and Forest were absent.)

IN BOARD OF MAYOR & ALDERMEN

DATE: July 11, 2006

ON MOTION OF ALD. Gatsas

SECONDED BY ALD. Roy

VOTED TO table.


CITY CLERK

Respectfully submitted,



Clerk of Committee

29



**City of Manchester
Department of Finance**

One City Hall Plaza
Manchester, New Hampshire 03101
Phone: (603) 624-6460
Fax: (603) 624-6549

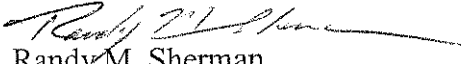
July 20, 2006

The Honorable Board of Mayor and Aldermen
C/o City Clerk Office
One City Hall Plaza
Manchester, NH 03101

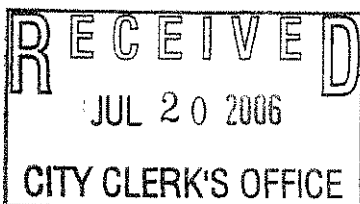
Dear Honorable Board:

At the July 11th BMA meeting, the Board requested the City's Bond Counsel, Hawkins, Delafield & Wood, to issue an opinion relative to the utilization of Bond proceeds to pay for outside counsel. Per your request, please see the attached letter.

Respectfully submitted,


Randy M. Sherman
Deputy Finance Officer

Cc: Kevin Clougherty



29

Hawkins

DELAFIELD & WOOD LLP

A NEW YORK LIMITED LIABILITY PARTNERSHIP

PHONE (973) 642-8584
FAX (973) 642-6773

ONE GATEWAY CENTER
24TH FLOOR
NEWARK, NJ 07102
WWW.HAWKINS.COM

DIRECT DIAL: (973) 642-1307
E-MAIL: RBEINFELD@HAWKINS.COM

NEWARK
NEW YORK
WASHINGTON
HARTFORD
LOS ANGELES
SACRAMENTO
SAN FRANCISCO

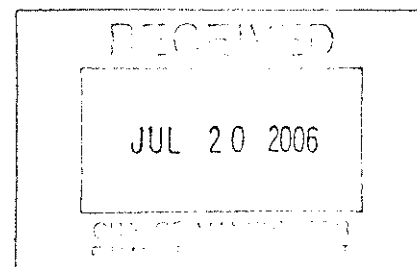
C. STEVEN DONOVAN
ROBERT H. BEINFELD
ERIC J. SAPIR
CHARLES O. TOTO
PATRICIA A. GOINS
CHRISTOPHER M. WATERMAN

NICOLETTE C. LOPEZ
KRISTINE L. PERLA
MICHELLE A. MILLINGTON
JESSE B. ZIGMUND

July 19, 2006

City of Manchester, New Hampshire

Mr. Kevin A. Clougherty
Finance Officer
Finance Department
City Hall, 2nd Floor
One City Hall Plaza
Manchester, New Hampshire 03101



Dear Kevin:

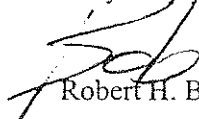
As requested, we have reviewed the resolution of the City finally adopted by the Board of Mayor and Aldermen on April 28, 2003, and entitled: "Authorizing Bonds, Notes or Lease Purchases up to the Aggregate Principal Amount of One Hundred Five Million Dollars (\$105,000,000), Which May Be Issued As General Obligation Bonds, Notes or Lease Purchases, Municipal Revenue Bonds, Notes or Lease Purchases Or Any Combination of the Foregoing as the Mayor And Finance Officer May Determine, to Finance Costs Associated with the Design/Build/Finance Manchester Schools Improvement program, and for the Payment of all Other Costs Incidental and Related Thereto" (the "School Bond Resolution"). You have asked as to whether the School Bond Resolution authorizes the City to spend proceeds of bonds issued under the School Bond Resolution (the "School Bonds") on certain litigation expenses relating to and arising from the construction of the projects financed by the School Bonds.

Section 1 of the School Bond Resolution, among other things, authorized the City to issue the School Bonds for "financing costs of constructing, making extraordinary repairs to, equipping and furnishing school buildings of the City as part of the Design/Build/Finance Manchester Schools Improvement Program, including the payment of all other costs incidental and related thereto". Section 4 of the School Bond Resolution provides that the proceeds of the School Bonds "are hereby appropriated for the purpose of financing costs of constructing, making extraordinary repairs to, equipping and furnishing school buildings of the City as part of the Design/Build/Finance Manchester Schools Improvement Program, including the payment of all other costs incidental and related thereto".

Please be advised that pursuant to the provisions of Section 1 and Section 4 of the School Bond Resolution, the City is authorized to spend proceeds of the School Bonds on litigation expenses relating to and arising from the construction of the projects authorized by the School Bond Resolution and financed with the proceeds of the School Bonds.

If either you or others have any questions with regard to the above, please do not hesitate to contact me.

Very truly yours,


Robert H. Beinfeld

RHB:gn
E-mail and Federal Express

320256.1 028043 LTR